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1ST SESSION

H. R. 3190

[Report No. 304]

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 1947

Mr. ROBSION introduced the following bill; which was referred to the Committee on the Judiciary

APRIL 24, 1947

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To revise, codify, and enact into positive law, Title 18 of the United States Code, entitled "Crimes and Criminal Procedure".

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Title 18 of the United States Code, entitled "Crimes
4 and Criminal Procedure", is hereby revised, codified, and
5 enacted into positive law, and may be cited as "Title 18,
6 U. S. C., §—", as follows:

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

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PART I—CRIMES

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CHAPTER 1—GENERAL PROVISIONS

Sec.

1. Offenses classified.
2. Principals.
3. Accessory after the fact.
4. Misprision of felony.
5. United States defined.
6. Department and agency defined.
7. Special maritime and territorial jurisdiction of the United States defined.
8. Obligation or other security of the United States defined.
9. Vessel of the United States defined.
10. Interstate commerce and foreign commerce defined.
11. Foreign government defined.
12. Postal Service defined.
13. Laws of States adopted for areas within Federal jurisdiction.

1 § 1. OFFENSES CLASSIFIED

2 Notwithstanding any Act of Congress to the contrary:

3 (1) Any offense punishable by death or imprisonment
4 for a term exceeding one year is a felony.

5 (2) Any other offense is a misdemeanor.

6 (3) Any misdemeanor, the penalty for which does not
7 exceed imprisonment for a period of six months or a fine of
8 not more than \$500, or both, is a petty offense.

9 § 2. PRINCIPALS

10 (a) Whoever commits an offense against the United

1 States, or aids, abets, counsels, commands, induces, or pro-
2 cures its commission, is a principal.

3 (b) Whoever causes an act to be done, which if directly
4 performed by him would be an offense against the United
5 States, is also a principal and punishable as such.

6 § 3. ACCESSORY AFTER THE FACT

7 Whoever, knowing that an offense against the United
8 States has been committed, receives, relieves, comforts or
9 assists the offender in order to hinder or prevent his appre-
10 hension, trial or punishment, is an accessory after the fact.

11 Except as otherwise expressly provided by any Act
12 of Congress, an accessory after the fact shall be im-
13 prisoned not more than one-half the maximum term of im-
14 prisonment or fined not more than one-half the maximum fine
15 prescribed for the punishment of the principal, or both; or if
16 the principal is punishable by death, the accessory shall be
17 imprisoned not more than ten years.

18 § 4. MISPRISION OF FELONY

19 Whoever, having knowledge of the actual commission
20 of a felony cognizable by a court of the United States, con-
21 ceals and does not as soon as possible make known the same
22 to some judge or other person in civil or military authority
23 under the United States, shall be fined not more than \$500
24 or imprisoned not more than three years, or both.

1 § 5. UNITED STATES DEFINED

2 The term "United States", as used in this title in a terri-
3 torial sense, includes all places and waters, continental or
4 insular, subject to the jurisdiction of the United States.

5 § 6. DEPARTMENT AND AGENCY DEFINED

6 As used in this title:

7 The term "department" means one of the executive
8 departments enumerated in section 1 of Title 5, unless the
9 context shows that such term was intended to describe the
10 executive, legislative, or judicial branches of the government.

11 The term "agency" includes any department, independ-
12 ent establishment, commission, administration, authority,
13 board or bureau of the United States or any corporation in
14 which the United States has a proprietary interest, unless the
15 context shows that such term was intended to be used in a
16 more limited sense.

17 § 7. SPECIAL MARITIME AND TERRITORIAL JURISDICTION
18 OF THE UNITED STATES DEFINED

19 The term "special maritime and territorial jurisdiction of
20 the United States", as used in this title, includes:

21 (1) The high seas, any other waters within the ad-
22 miralty and maritime jurisdiction of the United States and
23 out of the jurisdiction of any particular State, and any vessel
24 belonging in whole or in part to the United States or any

1 citizen thereof, or to any corporation created by or under
2 the laws of the United States, or of any State, Territory,
3 District, or possession thereof, when such vessel is within
4 the admiralty and maritime jurisdiction of the United States
5 and out of the jurisdiction of any particular State.

6 (2) Any vessel registered, licensed, or enrolled under
7 the laws of the United States, and being on a voyage upon
8 the waters of any of the Great Lakes, or any of the waters
9 connecting them, or upon the Saint Lawrence river where
10 the same constitutes the International Boundary Line.

11 (3) Any lands reserved or acquired for the use of the
12 United States, and under the exclusive or concurrent juris-
13 diction thereof, or any place purchased or otherwise acquired
14 by the United States by consent of the legislature of the State
15 in which the same shall be, for the erection of a fort, maga-
16 zine, arsenal, dockyard, or other needful building.

17 (4) Any island, rock, or key containing deposits of
18 guano, which may, at the discretion of the President, be con-
19 sidered as appertaining to the United States.

20 § 8. OBLIGATION OR OTHER SECURITY OF THE UNITED
21 STATES DEFINED

22 The term "obligation or other security of the United
23 States" includes all bonds, certificates of indebtedness, na-
24 tional bank currency, Federal reserve notes, Federal reserve
25 bank notes, coupons, United States notes, Treasury notes,

1 gold certificates, silver certificates, fractional notes, certificates
2 of deposit, bills, checks, or drafts for money, drawn by or
3 upon authorized officers of the United States, stamps and
4 other representatives of value, of whatever denomination,
5 issued under any Act of Congress, and canceled United
6 States stamps.

7 § 9. VESSEL OF THE UNITED STATES DEFINED

8 The term "vessel of the United States", as used in this
9 title, means a vessel belonging in whole or in part to the
10 United States, or any citizen thereof, or any corporation
11 created by or under the laws of the United States, or of any
12 State, Territory, District, or possession thereof.

13 § 10. INTERSTATE COMMERCE AND FOREIGN COMMERCE
14 DEFINED

15 The term "interstate commerce", as used in this title,
16 includes commerce between one State, Territory, Possession,
17 or the District of Columbia and another State, Territory,
18 Possession, or the District of Columbia.

19 The term "foreign commerce", as used in this title, in-
20 cludes commerce with a foreign country.

21 § 11. FOREIGN GOVERNMENT DEFINED

22 The term "foreign government", as used in this title,
23 includes any government, faction, or body of insurgents within
24 a country with which the United States is at peace, irrespec-
25 tive of recognition by the United States.

1 § 12. POSTAL SERVICE DEFINED

2 The term "Postal Service", as used in this title, includes
 3 the "Post Office Department" and every employee thereof,
 4 whether or not he has taken the oath of office.

5 § 13. LAWS OF STATES ADOPTED FOR AREAS WITHIN
 6 FEDERAL JURISDICTION

7 Whoever within or upon any of the places now exist-
 8 ing or hereafter reserved or acquired as provided in section
 9 7 of this title, is guilty of any act or omission which,
 10 although not made punishable by any enactment of Con-
 11 gress, would be punishable if committed or omitted within
 12 the jurisdiction of the State, Territory, Possession, or Dis-
 13 trict in which such place is situated, by the laws thereof
 14 in force at the time of such act or omission, shall be guilty
 15 of a like offense and subject to a like punishment.

CHAPTER 3.—ANIMALS, BIRDS AND FISH

Sec.

- 41. Hunting, fishing, trapping; disturbance or injury on wildlife refuges.
- 42. Importation of injurious animals and birds; permits; specimens for museums.
- 43. Transportation or importation in violation of state, national, or foreign laws.
- 44. Marking packages or containers.
- 45. Capturing or killing carrier pigeons.

16 § 41. HUNTING, FISHING, TRAPPING; DISTURBANCE OR
 17 INJURY ON WILDLIFE REFUGES

18 Whoever, except in compliance with rules and regula-
 19 tions promulgated by authority of law, hunts, traps, captures,

1 willfully disturbs or kills any bird, fish, or wild animal of
2 any kind whatever, or takes or destroys the eggs or nest
3 of any such bird or fish, on any lands or waters which are
4 set apart or reserved as sanctuaries, refuges or breeding
5 grounds for such birds, fish, or animals under any law of
6 the United States or willfully injures, molests, or destroys
7 any property of the United States on any such lands or
8 waters, shall be fined not more than \$500 or imprisoned
9 not more than six months, or both.

10 § 42. IMPORTATION OF INJURIOUS ANIMALS AND BIRDS;
11 PERMITS; SPECIMENS FOR MUSEUMS

12 (a) The importation into the United States of the mon-
13 goose, the so-called "flying foxes" or fruit bats, the English
14 sparrow, the starling, and such other birds and animals as
15 the Secretary of the Interior may declare to be injurious to
16 the interests of agriculture or horticulture, is prohibited; and
17 all such birds and animals shall, upon arrival at any port of
18 the United States, be destroyed or returned at the expense of
19 the owner.

20 No person shall import into the United States any for-
21 eign wild animal or bird, except under special permit from
22 the Secretary of the Interior.

23 This section shall not restrict the importation of natural-
24 history specimens for museums or scientific collections, or of
25 certain cage birds, such as domesticated canaries, parrots,

1 or such other birds as the Secretary of the Interior may
2 designate.

3 The Secretary of the Treasury may issue regulations to
4 effectuate this section.

5 (b) Whoever violates this section shall be fined not more
6 than \$500 or imprisoned not more than six months, or both.

7 § 43. TRANSPORTATION OR IMPORTATION IN VIOLATION
8 OF STATE, NATIONAL, OR FOREIGN LAWS

9 Whoever delivers or knowingly receives for shipment,
10 transportation, or carriage in interstate or foreign commerce,
11 any wild animal or bird, or the dead body or part thereof, or
12 the egg of any such bird imported from any foreign country,
13 or captured, killed, taken, purchased, sold, or possessed con-
14 trary to any Act of Congress, or the law of any State,
15 Territory, Possession, or foreign country, or subdivision
16 thereof; or

17 Whoever transports, brings, or conveys from any foreign
18 country into the United States any wild animal or bird, or
19 the dead body or part thereof, or the egg of any such bird
20 captured, killed, taken, shipped, transported, or carried con-
21 trary to the law of such foreign country or subdivision
22 thereof; or

23 Whoever knowingly purchases or receives any wild ani-
24 mal or bird, or the dead body or part thereof, or the egg of
25 any such bird imported from any foreign country or shipped,

1 transported, carried, brought, or conveyed in violation of this
2 section; or

3 Whoever, having purchased or received any wild animal
4 or bird, or the dead body or part thereof, or the egg of any
5 such bird imported from any foreign country or shipped,
6 transported, or carried in interstate commerce, makes any
7 false record or account thereof; or

8 Whoever imports from or exports to Mexico any game
9 mammal, dead or alive, or parts or products thereof, except
10 under permit or authorization of the Secretary of the Interior,
11 in accordance with regulations issued by him and approved
12 by the President—

13 Shall be fined not more than \$500 or imprisoned not
14 more than six months, or both; and the wild animals or birds,
15 or the dead bodies or parts thereof, or the eggs of such birds,
16 shall be forfeited.

17 § 44. MARKING PACKAGES OR CONTAINERS

18 Whoever ships, transports, carries, brings or conveys in
19 interstate or foreign commerce any package containing wild
20 animals or birds, or the dead bodies or parts thereof, without
21 plainly marking, labeling, or tagging such package with the
22 names and addresses of the shipper and consignee and with
23 an accurate statement showing the contents by number and
24 kind; or

25 Whoever ships, transports, carries, brings or conveys in

1 interstate commerce, any package containing migratory birds
2 included in any convention to which the United States is a
3 party, without marking, labeling, or tagging such package
4 as prescribed in such convention, or Act of Congress, or
5 regulation thereunder; or

6 Whoever ships, transports, carries, brings or conveys in
7 interstate commerce any package containing furs, hides, or
8 skins of wild animals without plainly marking, labeling, or
9 tagging such package with the names and addresses of the
10 shipper and consignee—

11 Shall be fined not more than \$500 or imprisoned not
12 more than six months, or both; and the shipment shall be
13 forfeited.

14 § 45. CAPTURING OR KILLING CARRIER PIGEONS

15 Whoever knowingly traps, captures, shoots, kills,
16 possesses, or detains an Antwerp or homing pigeon, common-
17 ly called carrier pigeon, owned by the United States or bear-
18 ing a band owned and issued by the United States having
19 thereon the letters "U. S. A." or "U. S. N." and a serial
20 number, shall be fined not more than \$100 or imprisoned not
21 more than six months, or both.

22 The possession or detention of any such pigeon without
23 giving immediate notice by registered mail to the nearest
24 military or naval authorities, shall be prima facie evidence of
25 a violation of this section.

CHAPTER 5.—ARSON

Sec.

81. Arson within special maritime and territorial jurisdiction.

1 § 81. ARSON WITHIN SPECIAL MARITIME AND TERRI-
 2 TORIAL JURISDICTION

3 Whoever, within the special maritime and territorial
 4 jurisdiction of the United States, willfully and maliciously
 5 sets fire to or burns, or attempts to set fire to or burn any
 6 building, structure or vessel, any machinery or building mate-
 7 rials or supplies, military or naval stores, munitions of war,
 8 or any structural aids or appliances for navigation or ship-
 9 ping, shall be fined not more than \$1,000 or imprisoned not
 10 more than five years, or both.

11 If the building be a dwelling or if the life of any person
 12 be placed in jeopardy, he shall be fined not more than \$5,000
 13 or imprisoned not more than twenty years, or both.

CHAPTER 7.—ASSAULT

Sec.

111. Assaulting, resisting, or impeding certain officers or employees.

112. Assaulting public minister.

113. Assaults within maritime and territorial jurisdiction.

114. Maiming within maritime and territorial jurisdiction.

14 § 111. ASSAULTING, RESISTING, OR IMPEDING CERTAIN
 15 OFFICERS OR EMPLOYEES

16 Whoever forcibly assaults, resists, opposes, impedes, in-
 17 timidates, or interferes with any person designated in section
 18 1114 of this title while engaged in or on account of the per-
 19 formance of his official duties, shall be fined not more than
 20 \$5,000 or imprisoned not more than three years, or both.

1 Whoever, in the commission of any such acts uses a
2 deadly or dangerous weapon, shall be fined not more than
3 \$10,000 or imprisoned not more than ten years, or both.

4 § 112. ASSAULTING PUBLIC MINISTER

5 Whoever assaults, strikes, wounds, imprisons, or offers
6 violence to the person of an ambassador or other public
7 minister, in violation of the law of nations, shall be fined not
8 more than \$5,000 or imprisoned not more than three years,
9 or both.

10 Whoever, in the commission of any such acts uses a
11 deadly or dangerous weapon, shall be fined not more than
12 \$10,000 or imprisoned not more than ten years, or both.

13 § 113. ASSAULTS WITHIN MARITIME AND TERRITORIAL
14 JURISDICTION

15 Whoever, within the special maritime and territorial
16 jurisdiction of the United States, is guilty of an assault shall
17 be punished as follows:

18 (a) Assault with intent to commit murder or rape,
19 by imprisonment for not more than twenty years.

20 (b) Assault with intent to commit any felony, except
21 murder or rape, by fine of not more than \$3,000 or imprison-
22 ment for not more than ten years, or both.

23 (c) Assault with a dangerous weapon, with intent to
24 do bodily harm, and without just cause or excuse, by fine of

1 not more than \$1,000 or imprisonment for not more than
2 five years, or both.

3 (d) Assault by striking, beating, or wounding, by fine of
4 not more than \$500 or imprisonment for not more than six
5 months, or both.

6 (e) Simple assault, by fine of not more than \$300 or im-
7 prisonment for not more than three months, or both.

8 § 114. MAIMING WITHIN MARITIME AND TERRITORIAL
9 JURISDICTION

10 Whoever, within the special maritime and territorial
11 jurisdiction of the United States, and with intent to maim or
12 disfigure, cuts, bites, or slits the nose, ear, or lip, or cuts
13 out or disables the tongue, or puts out or destroys an eye,
14 or cuts off or disables a limb or any member of another
15 person; or

16 Whoever, within the special maritime and territorial
17 jurisdiction of the United States, and with like intent,
18 throws or pours upon another person, any scalding water,
19 corrosive acid, or caustic substance—

20 Shall be fined not more than \$1,000 or imprisoned not
21 more than seven years, or both.

CHAPTER 9.—BANKRUPTCY

Sec.

151. Definitions.

152. Concealment of assets; false oaths and claims; bribery.

153. Embezzlement by trustee, receiver or officer.

154. Adverse interest and conduct of referees and other officers.

155. Fee agreements in bankruptcy proceedings.

1 § 151. DEFINITIONS

2 As used in this chapter:

3 The term "bankrupt" means a debtor by or against
4 whom a petition has been filed under Title 11.5 The term "bankruptcy" includes any proceeding,
6 arrangement, or plan pursuant to Title 11.7 § 152. CONCEALMENT OF ASSETS; FALSE OATHS AND
8 CLAIMS; BRIBERY9 Whoever knowingly and fraudulently conceals from the
10 receiver, custodian, trustee, marshal, or other officer of the
11 court charged with the control or custody of property, or
12 from creditors in any bankruptcy proceeding, any property
13 belonging to the estate of a bankrupt; or14 Whoever knowingly and fraudulently makes a false oath
15 or account in or in relation to any bankruptcy proceeding; or16 Whoever knowingly and fraudulently presents under
17 oath any false claim for proof against the estate of a bank-
18 rupt, or uses any such claim in any bankruptcy proceeding,
19 personally, or by agent, proxy, or attorney, or as agent,
20 proxy, or attorney; or21 Whoever knowingly and fraudulently receives any mate-
22 rial amount of property from a bankrupt after the filing of
23 a bankruptcy proceeding, with intent to defeat the bank-
24 ruptcy law; or

1 Whoever knowingly and fraudulently gives, offers, re-
2 ceives or attempts to obtain any money or property, remunera-
3 tion, compensation, reward, advantage, or promise thereof,
4 for acting or forbearing to act in any bankruptcy proceeding;
5 or

6 Whoever, while an agent or officer of any person or
7 corporation, and in contemplation of a bankruptcy proceed-
8 ing by or against such person or corporation, or with intent
9 to defeat the bankruptcy law, knowingly and fraudulently
10 transfers or conceals any of the property of such person
11 or corporation; or

12 Whoever, after the filing of a bankruptcy proceeding or
13 in contemplation thereof, knowingly and fraudulently con-
14 ceals, destroys, mutilates, falsifies, or makes a false entry
15 in any document affecting or relating to the property or
16 affairs of a bankrupt; or

17 Whoever, after the filing of a bankruptcy proceeding,
18 knowingly and fraudulently withholds from the receiver, cus-
19 todian, trustee, marshal, or other officer of the court entitled
20 to its possession, any document affecting or relating to the
21 property or affairs of a bankrupt.

22 Shall be fined not more than \$5,000 or imprisoned not
23 more than five years, or both.

1 § 153. EMBEZZLEMENT BY TRUSTEE, RECEIVER OR OFFI-
 2 CER

3 Whoever knowingly and fraudulently appropriates to his
 4 own use, embezzles, spends, or transfers any property or
 5 secretes or destroys any document belonging to the estate
 6 of a bankrupt which came into his charge as trustee, receiver,
 7 custodian, marshal, or other officer of the court, shall be fined
 8 not more than \$5,000 or imprisoned not more than five years,
 9 or both.

10 § 154. ADVERSE INTEREST AND CONDUCT OF REFEREES
 11 AND OTHER OFFICERS

12 Whoever knowingly acts as a referee in a case in which
 13 he is directly or indirectly interested; or

14 Whoever, being a referee, receiver, custodian, trustee,
 15 marshal, or other officer of the court, knowingly purchases,
 16 directly or indirectly, any property of the estate of which
 17 he is such officer in a bankruptcy proceeding; or

18 Whoever being such officer, knowingly refuses to permit
 19 a reasonable opportunity for the inspection of the documents
 20 and accounts relating to the affairs of estates in his charge by
 21 parties in interest when directed by the court to do so—

22 Shall be fined not more than \$500, and shall forfeit his
 23 office, which shall thereupon become vacant.

24 § 155. FEE AGREEMENTS IN BANKRUPTCY PROCEEDINGS

25 Whoever, being a party in interest, whether as a debtor,

1 creditor, receiver or trustee or a representative of any of
 2 them, in any receivership, bankruptcy, or reorganization
 3 proceeding, in or under the supervision of any court of the
 4 United States, enters into any agreement, express or implied,
 5 with another such party in interest, for the purpose of fixing
 6 the fees or other compensation to be paid, to any party in
 7 interest for services rendered in connection therewith, from
 8 the assets of the estate in excess of the compensation allowed
 9 by law; or

10 Whoever, being a judge of a court of the United States
 11 knowingly approves the payment of any fees or compensa-
 12 tion so fixed—

13 Shall be fined not more than \$5,000 or imprisoned not
 14 more than one year, or both.

CHAPTER 11.—BRIBERY AND GRAFT.

Sec.

- 201. Offer to officer or other person.
- 202. Acceptance or solicitation by officer or other person.
- 203. Acceptance or demand by district attorneys or marshals or their assistants.
- 204. Offer to Member of Congress.
- 205. Acceptance by Member of Congress.
- 206. Offer to judge or judicial officer.
- 207. Acceptance by judge.
- 208. Acceptance or solicitation by judicial officer.
- 209. Offer to witness.
- 210. Acceptance by witness.
- 211. Offer of gratuity to revenue officer.
- 212. Offer or threat to customs officer or employee.
- 213. Acceptance or demand by customs officer or employee.
- 214. Offer to procure appointive public office.
- 215. Acceptance or solicitation to obtain appointive public office.
- 216. Procurement of contract by officer or Member of Congress.
- 217. Offer of loan or gratuity to bank examiner.
- 218. Acceptance of loan or gratuity by bank examiner.
- 219. Offer for procurement of Federal Reserve bank loan and discount of commercial paper.

Sec.

220. Receipt of commissions or gifts for procuring loans.

221. Receipt or charge of commission or gifts for farm loan or land bank transactions.

222. Acceptance of consideration for adjustment of farm indebtedness.

223. Home Owners' Loan Corporation transactions.

1 § 201. OFFER TO OFFICER OR OTHER PERSON

2 Whoever promises, offers, or gives any money or thing
3 of value, or makes or tenders any check, order, contract, un-
4 dertaking, obligation, gratuity, or security for the payment of
5 money or for the delivery or conveyance of anything of value,
6 to any officer or employee or person acting for or on behalf
7 of the United States, or any department or agency thereof, in
8 any official function, under or by authority of any such
9 department or agency or to any officer or person acting for
10 or on behalf of either House of Congress, or of any commit-
11 tee of either House, or both Houses thereof, with intent to
12 influence his decision or action on any question, matter, cause,
13 or proceeding which may at any time be pending, or which
14 may by law be brought before him in his official capacity, or
15 in his place of trust or profit, or with intent to influence him
16 to commit or aid in committing, or to collude in, or allow,
17 any fraud, or make opportunity for the commission of any
18 fraud, on the United States, or to induce him to do or omit
19 to do any act in violation of his lawful duty, shall be fined not
20 more than three times the amount of such money or value
21 of such thing or imprisoned not more than three years, or
22 both.

1 This section shall not apply to violations of section 212
2 of this title.

3 § 202. ACCEPTANCE OR SOLICITATION BY OFFICER OR
4 OTHER PERSON

5 Whoever, being an officer or employee of, or person act-
6 ing for or on behalf of the United States, in any official
7 capacity, under or by virtue of the authority of any depart-
8 ment or agency thereof, or an officer or person acting for, or
9 on behalf of either House of Congress, or of any committee
10 of either House, or of both Houses thereof, asks, accepts, or
11 receives any money, or any check, order, contract, promise,
12 undertaking, obligation, gratuity, or security for the payment
13 of money, or for the delivery or conveyance of anything of
14 value, with intent to have his decision or action on any ques-
15 tion, matter, cause, or proceeding which may at any time be
16 pending, or which may by law be brought before him in his
17 official capacity, or in his place of trust or profit, influenced
18 thereby, shall be fined not more than three times the amount
19 of such money or value of such thing or imprisoned not more
20 than three years, or both; and shall forfeit his office or place
21 and be disqualified from holding any office of honor, trust, or
22 profit under the United States.

23 This section shall not apply to violations of section 213
24 of this title.

1 § 203. ACCEPTANCE OR DEMAND BY DISTRICT ATTORNEYS
2 OR MARSHALS OR THEIR ASSISTANTS

3 Whoever, being connected in any capacity with the
4 office of United States Attorney or United States Marshal,
5 directly or indirectly, demands, receives or accepts any fee
6 or compensation for the performance of any official service,
7 other than is provided by law, shall be fined not more than
8 \$500 or imprisoned not more than five years, or both.

9 § 204. OFFER TO MEMBER OF CONGRESS

10 Whoever promises, offers, or gives any money or thing
11 of value, or makes or tenders any check, order, contract, un-
12 dertaking, obligation, gratuity, or security for the payment
13 of money or for the delivery or conveyance of anything of
14 value, to any Member of either House of Congress, or Dele-
15 gate to Congress, or Resident Commissioner, either before or
16 after he has qualified, or to any person with his consent, con-
17 nivance, or concurrence, with intent to influence his action,
18 vote, or decision on any question, matter, cause, or proceed-
19 ing which may at any time be pending in either House of
20 Congress, or before any committee thereof, or which by law
21 may be brought before him in his capacity as such Member,
22 Delegate, or Resident Commissioner, shall be fined not more
23 than three times the amount of such money or value of such
24 thing or imprisoned not more than three years, or both.

1 § 205. ACCEPTANCE BY MEMBER OF CONGRESS

2 Whoever, being a Member of, or Delegate to, Congress,
3 or a Resident Commissioner, either before or after he has
4 qualified, directly or indirectly, asks, accepts, receives, or
5 agrees to receive, any money or thing of value, or any prom-
6 ise, check, order, contract, undertaking, obligation, gratuity,
7 or security for the payment of money or for the delivery or
8 conveyance of anything of value to him or to any person with
9 his consent, connivance, or concurrence, for his attention to,
10 or services, or with the intent to have his action, vote, or
11 decision influenced on any question, matter, cause, or pro-
12 ceeding, which may at any time be pending in either House
13 of Congress or before any committee thereof, or which by law
14 may be brought before him in his capacity as such Member,
15 Delegate, or Resident Commissioner, shall be fined not more
16 than three times the amount asked, accepted, or received or
17 imprisoned not more than three years, or both; and shall
18 forfeit his office or place, and be disqualified from holding any
19 office of honor, trust, or profit under the United States.

20 § 206. OFFER TO JUDGE OR JUDICIAL OFFICER

21 Whoever, directly or indirectly, gives or offers any
22 money or thing of value, or any promise or agreement there-
23 for, or any other bribe, to any judge, juror, referee, arbitrator,
24 appraiser, assessor, auditor, master, trustee, receiver, United

1 States Commissioner, or other person authorized by any law
2 of the United States to hear or determine any question, mat-
3 ter, cause, proceeding, or controversy, because of or with
4 intent to influence his action, vote, opinion, or decision
5 thereon, shall be fined not more than \$20,000 or imprisoned
6 not more than fifteen years, or both; and shall be disqualified
7 from holding any office of honor, trust, or profit under the
8 United States.

9 § 207. ACCEPTANCE BY JUDGE

10 Whoever, being a judge of the United States, accepts or
11 receives any sum of money or other bribe, present or reward,
12 or any promise, check, order, contract, obligation, gift or
13 security for the payment of money, or for the delivery or
14 conveyance of anything of value, because of or with intent
15 to be influenced in any opinion, judgment or decree in any
16 suit, controversy, matter or cause pending before him, shall
17 be fined not more than \$20,000 or imprisoned not more than
18 fifteen years, or both; and shall be disqualified from holding
19 any office of honor, trust or profit under the United States.

20 § 208. ACCEPTANCE OR SOLICITATION BY JUDICIAL OFFI-

21 CER

22 Whoever, being a juror, referee, arbitrator, appraiser,
23 assessor, auditor, master, trustee, receiver, United States com-
24 missioner, or other person authorized by any law of the
25 United States to hear or determine any question, matter,

1 cause, controversy, or proceeding, asks, receives, or agrees to
2 receive, any money or thing of value, or any promise or
3 agreement therefor, because of or with intent to be influenced
4 in his vote, opinion, action, judgment, or decision, shall be
5 fined not more than \$2,000 or imprisoned not more than two
6 years, or both.

7 § 209. OFFER TO WITNESS

8 Whoever, directly or indirectly, gives or offers any
9 money or thing of value, or any promise or agreement there-
10 for, or any other bribe to any person being, or about to be,
11 a witness upon a trial, hearing, or other proceeding, before
12 any court or any officer authorized by the laws of the United
13 States to hear evidence or take testimony, upon any agree-
14 ment or understanding that his testimony shall be influenced
15 thereby, or that he will absent himself from the trial, hear-
16 ing or other proceeding, shall be fined not more than \$2,000
17 or imprisoned not more than two years, or both.

18 § 210. ACCEPTANCE BY WITNESS

19 Whoever, being, or about to be, a witness upon a trial,
20 hearing, or other proceeding, before any court or any officer
21 authorized by the laws of the United States to hear evidence
22 or take testimony, receives, or agrees or offers to receive, a
23 bribe, upon any agreement or understanding that his testi-
24 mony shall be influenced thereby, or that he will absent him-
25 self from the trial, hearing, or other proceeding, or because

1 of such testimony, or such absence, shall be fined not more
2 than \$2,000 or imprisoned not more than two years, or both.

3 § 211. OFFER OF GRATUITY TO REVENUE OFFICER

4 Whoever, being engaged in the importation into the
5 United States of any goods, wares, or merchandise, or being
6 interested as principal, clerk, or agent in the entry thereof,
7 gives or offers, to any officer of the revenue, any present of
8 money or thing of value, shall be fined not more than \$5,000
9 or imprisoned not more than two years, or both.

10 § 212. OFFER OR THREAT TO CUSTOMS OFFICER OR EM-
11 **PLOYEE**

12 Whoever gives, offers, or promises any money or thing
13 of value, directly or indirectly, to any officer or employee of
14 the United States in consideration of or for any act or
15 omission contrary to law in connection with or pertaining to
16 the importation, appraisement, entry, examination, or inspec-
17 tion of merchandise or baggage, or of the liquidation of the
18 entry thereof, or by threats or demands or promises of any
19 character attempts improperly to influence or control any
20 such officer or employee of the United States as to the per-
21 formance of his official duties, shall be fined not more than
22 \$5,000 or imprisoned not more than two years, or both.

23 Evidence, satisfactory to the court, of such giving, offer-
24 ing, or promising to give, or attempting to influence or con-

1 trol, shall be prima facie evidence that the same was contrary
2 to law.

3 § 213. ACCEPTANCE OR DEMAND BY CUSTOMS OFFICER OR
4 EMPLOYEE

5 Whoever, being an officer or employee of the United
6 States, solicits, demands, exacts, or receives from any person,
7 directly or indirectly, except in payment of the duties or
8 exactions fixed by law, any gratuity, money, or thing of
9 value, for any service performed under the customs laws, or
10 in consideration of any official act or the omission thereof, in
11 connection with or pertaining to the importation, entry, in-
12 spection or examination, or appraisement of merchandise or
13 baggage, shall be fined not more than \$5,000 or imprisoned
14 not more than two years, or both.

15 Evidence, satisfactory to the court, of such soliciting,
16 demanding, exacting, or receiving shall be prima facie
17 evidence that the same was contrary to law.

18 § 214. OFFER TO PROCURE APPOINTIVE PUBLIC OFFICE

19 Whoever pays or offers or promises any money or thing
20 of value, to any person, firm, or corporation in consideration
21 of the use or promise to use any influence to procure any
22 appointive office or place under the United States for any
23 person, shall be fined not more than \$1,000 or imprisoned
24 not more than one year, or both.

1 § 215. ACCEPTANCE OR SOLICITATION TO OBTAIN AP-
2 POINTIVE PUBLIC OFFICE

3 Whoever solicits or receives, either as a political contri-
4 bution, or for personal emolument, any money or thing of
5 value, in consideration of the promise of support or use of
6 influence in obtaining for any person any appointive office
7 or place under the United States, shall be fined not more than
8 \$1,000 or imprisoned not more than one year, or both.

9 § 216. PROCUREMENT OF CONTRACT BY OFFICER OR
10 MEMBER OF CONGRESS

11 Whoever, being a Member of or Delegate to Congress, or
12 a Resident Commissioner, either before or after he has quali-
13 fied, or being an officer, employee, or agent of the United
14 States, directly or indirectly takes, receives, or agrees to re-
15 ceive, any money or thing of value, for giving, procuring or
16 aiding to procure to or for any person, any contract from the
17 United States or from any officer, department or agency
18 thereof; or

19 Whoever, directly or indirectly, offers, gives, or agrees to
20 give any money or thing of value for procuring or aiding to
21 procure, any such contract—

22 Shall be fined not more than \$10,000 or imprisoned not
23 more than two years, or both; and be disqualified from hold-
24 ing any office of honor, profit, or trust under the United
25 States.

1 The President may declare void any such contract or
2 agreement.

3 § 217. OFFER OF LOAN OR GRATUITY TO BANK EXAMINER

4 Whoever, being an officer, director or employee of a
5 bank which is a member of the Federal Reserve System or
6 the deposits of which are insured by the Federal Deposit
7 Insurance Corporation, or of any National Agricultural Credit
8 Corporation, or of any land bank, national farm loan asso-
9 ciation or other institution subject to examination by a farm
10 credit examiner, makes or grants any loan or gratuity, to
11 any examiner or assistant examiner who examines or has
12 authority to examine such bank, corporation, or institution,
13 shall be fined not more than \$5,000 or imprisoned not more
14 than one year, or both; and may be fined a further sum equal
15 to the money so loaned or gratuity given.

16 The provisions of this section and section 218 of this
17 title shall apply to all public examiners and assistant exami-
18 ners who examine member banks of the Federal Reserve
19 System or insured banks, or National Agricultural Credit
20 Corporations, whether appointed by the Comptroller of the
21 Currency, by the Board of Governors of the Federal Reserve
22 System, by a Federal Reserve agent, by a Federal Reserve
23 bank or by the Federal Deposit Insurance Corporation, or
24 appointed or elected under the laws of any state; but shall
25 not apply to private examiners or assistant examiners em-

1 ployed only by a clearing-house association or by the directors
2 of a bank.

3 § 218. ACCEPTANCE OF LOAN OR GRATUITY BY BANK

4 EXAMINER

5 Whoever, being an examiner or assistant examiner of
6 member banks of the Federal Reserve System or banks the
7 deposits of which are insured by the Federal Deposit Insur-
8 ance Corporation, or a farm credit examiner or examiner of
9 National Agricultural Credit Corporations, accepts a loan or
10 gratuity from any bank, corporation, association or organiza-
11 tion examined by him or from any person connected there-
12 with, shall be fined not more than \$5,000 or imprisoned not
13 more than one year, or both; and may be fined a further sum
14 equal to the money so loaned or gratuity given, and shall
15 be disqualified from holding office as such examiner.

16 § 219. OFFER FOR PROCUREMENT OF FEDERAL RESERVE

17 BANK LOAN AND DISCOUNT OF COMMERCIAL

18 PAPER

19 Whoever stipulates for or gives or receives, or consents
20 or agrees to give or receive, any fee, commission, bonus,
21 or thing of value for procuring or endeavoring to procure
22 from any Federal Reserve bank any advance, loan, or
23 extension of credit or discount or purchase of any obligation
24 or commitment with respect thereto, either directly from

1 such Federal Reserve bank or indirectly through any financ-
2 ing institution, unless such fee, commission, bonus, or thing
3 of value and all material facts with respect to the arrange-
4 ment or understanding therefor shall be disclosed in writing
5 in the application or request for such advance, loan, exten-
6 sion of credit, discount, purchase, or commitment, shall be
7 fined not more than \$5,000 or imprisoned not more than
8 one year, or both.

9 § 220. RECEIPT OF COMMISSIONS OR GIFTS FOR PROCUR-
10 ING LOANS

11 Whoever, being an officer, director, employee, agent, or
12 attorney of a member bank of the Federal reserve system, of
13 a Federal intermediate credit bank, or of a National Agricul-
14 tural Credit Corporation, except as provided by law, stipu-
15 lates for or receives or consents or agrees to receive any fee,
16 commission, gift, or thing of value, from any person, firm,
17 or corporation, for procuring or endeavoring to procure for
18 such person, firm, or corporation, or for any other person, firm,
19 or corporation, from any such bank or corporation, any loan
20 or extension or renewal of loan or substitution of security,
21 or the purchase or discount or acceptance of any paper, note,
22 draft, check, or bill of exchange by any such bank or cor-
23 poration, shall be fined not more than \$5,000 or imprisoned
24 not more than one year, or both.

1 § 221. RECEIPT OR CHARGE OF COMMISSIONS OR GIFTS

2 FOR FARM LOAN OR LAND BANK TRANSACTIONS

3 Whoever, being an officer, director, attorney, or em-
4 ployee of a national farm loan association, a Federal land
5 bank, or a joint-stock land bank, organized or acting under
6 authority of any law of the United States, is a beneficiary of
7 or receives, directly or indirectly, any fee, commission, gift,
8 or other consideration for or in connection with any transac-
9 tion or business of such association or bank, other than the
10 usual salary or director's fee paid to such officer, director, or
11 employee thereof, and a reasonable fee paid by such asso-
12 ciation or bank to such officer, director, attorney, or employee
13 for services rendered, shall be fined not more than \$5,000
14 or imprisoned not more than one year, or both.

15 Whoever causes or procures any Federal land bank,
16 joint-stock land bank or national farm loan association, organ-
17 ized under any Act of Congress, to charge or receive
18 any fee, commission, bonus, gift, or other consideration not
19 specifically authorized, shall be fined not more than \$5,000
20 or imprisoned not more than one year, or both.

21 § 222. ACCEPTANCE OF CONSIDERATION FOR ADJUST-

22 MENT OF FARM INDEBTEDNESS

23 Whoever, being an officer or employee of, or person
24 acting for the United States or any agency thereof, accepts

1 any fee, commission, gift, or other consideration in connection
 2 with the compromise, adjustment, or cancellation of any
 3 farm indebtedness as provided by sections 1150, 1150a, and
 4 1150b of Title 12, shall be fined not more than \$1,000 or
 5 imprisoned not more than one year, or both.

6 § 233. HOME OWNERS' LOAN CORPORATION TRANSAC-
 7 TIONS

8 Whoever, whether a person, partnership, association, or
 9 corporation, directly or indirectly solicits, contracts for,
 10 charges, or receives, or attempts to solicit, contract for,
 11 charge, or receive, from any person applying to the Home
 12 Owners' Loan Corporation for a loan, (1) any fee, charge,
 13 or other consideration, whether bond or cash, except ordi-
 14 nary fees authorized and required by the said Corporation
 15 for services actually rendered for examination and perfection
 16 of title, appraisal, and like necessary services, or (2) any
 17 moneys, check, note, or other form of obligation, representing
 18 payment of any difference which may exist between the mar-
 19 ket value and the par value of the bonds of the Home Owners'
 20 Loan Corporation, shall be fined not more than \$5,000 or
 21 imprisoned not more than two years, or both.

CHAPTER 13.—CIVIL RIGHTS

Sec.

241. Conspiracy against rights of citizens.

242. Deprivation of rights under color of law.

243. Exclusion of jurors on account of race or color.

244. Discrimination against person wearing uniform of armed forces.

1 § 241. CONSPIRACY AGAINST RIGHTS OF CITIZENS

2 If two or more persons conspire to injure, oppress,
3 threaten, or intimidate any citizen in the free exercise or en-
4 joyment of any right or privilege secured to him by the Con-
5 stitution or laws of the United States, or because of his hav-
6 ing so exercised the same; or

7 If two or more persons go in disguise on the highway,
8 or on the premises of another, with intent to prevent or
9 hinder his free exercise or enjoyment of any right or privilege
10 so secured—

11 They shall be fined not more than \$5,000 or imprisoned
12 not more than ten years, or both.

13 § 242. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

14 Whoever, under color of any law, statute, ordinance,
15 regulation, or custom, willfully subjects any inhabitant of any
16 State, Territory, or District to the deprivation of any rights,
17 privileges, or immunities secured or protected by the Consti-
18 tution or laws of the United States, or to different punish-
19 ments, pains, or penalties, on account of such inhabitant
20 being an alien, or by reason of his color, or race, than are
21 prescribed for the punishment of citizens, shall be fined not
22 more than \$1,000 or imprisoned not more than one year,
23 or both.

1 § 243. EXCLUSION OF JURORS ON ACCOUNT OF RACE OR
2 COLOR

3 No citizen possessing all other qualifications which are
4 or may be prescribed by law shall be disqualified for service
5 as grand or petit juror in any court of the United States, or
6 of any State on account of race, color, or previous condition of
7 servitude; and whoever, being an officer or other person
8 charged with any duty in the selection or summoning of
9 jurors, excludes or fails to summon any citizen for such cause,
10 shall be fined not more than \$5,000.

11 § 244. DISCRIMINATION AGAINST PERSON WEARING
12 UNIFORM OF ARMED FORCES

13 Whoever, being a proprietor, manager, or employee of a
14 theater or other public place of entertainment or amusement
15 in the District of Columbia, or in any Territory, or Posses-
16 sion of the United States, causes any person wearing the
17 uniform of the Army, Navy, Coast Guard, or Marine Corps
18 of the United States to be discriminated against because of
19 that uniform, shall be fined not more than \$500.

CHAPTER 15.—CLAIMS AND SERVICES IN MATTERS AFFECTING GOVERNMENT
Sec.

- 281. Compensation to Members of Congress, officers, and others in mat-
ters affecting the Government.
- 282. Practice in Court of Claims by Members of Congress.
- 283. Officers or employees interested in claims against the Government.
- 284. Disqualification of former officers and employees in matters con-
nected with former duties.
- 285. Taking or using papers relating to claims.
- 286. Conspiracy to defraud the Government with respect to claims.

Sec.

- 287. False, fictitious or fraudulent claims.
- 288. False claims for postal losses.
- 289. False claims for pensions.
- 290. Discharge papers withheld by claim agent.
- 291. Purchase of claims for fees by court officials.

1 § 281. COMPENSATION TO MEMBERS OF CONGRESS, OFFI-
 2 CERS AND OTHERS IN MATTERS AFFECTING
 3 THE GOVERNMENT

4 Whoever, being a Member of or Delegate to Congress,
 5 or a Resident Commissioner, either before or after he has
 6 qualified, or the head of a department, or other officer or
 7 employee of the United States or any department or agency
 8 thereof, directly or indirectly receives or agrees to receive,
 9 any compensation for any services rendered or to be ren-
 10 dered, either by himself or another, in relation to any pro-
 11 ceeding, contract, claim, controversy, charge, accusation,
 12 arrest, or other matter in which the United States is a party
 13 or directly or indirectly interested, before any department,
 14 agency, court martial, officer, or any civil, military, or naval
 15 commission, shall be fined not more than \$10,000 or im-
 16 prisoned not more than two years, or both; and shall be
 17 incapable of holding any office of honor, trust, or profit under
 18 the United States.

19 Retired officers of the Army, Navy, Marine Corps, and
 20 Coast Guard of the United States, while not on active duty,
 21 shall not by reason of their status as such be subject to the
 22 provisions of this section. Nothing herein shall be construed

1 to allow any retired officer to represent any person in the
2 sale of anything to the Government through the department
3 in whose service he holds a retired status.

4 This section shall not apply to any person because of his
5 membership in the National Guard of the District of Colum-
6 bia nor to any person specially excepted by Act of
7 Congress.

8 § 282. PRACTICE IN COURT OF CLAIMS BY MEMBERS OF
9 CONGRESS

10 Whoever, being a Member of or Delegate to Congress, or
11 a Resident Commissioner, either before or after he has
12 qualified, practices in the Court of Claims, shall be fined not
13 more than \$10,000 or imprisoned not more than two years,
14 or both; and shall be incapable of holding any office of
15 honor, trust, or profit under the United States.

16 § 283. OFFICERS OR EMPLOYEES INTERESTED IN CLAIMS
17 AGAINST THE GOVERNMENT

18 Whoever, being an officer or employee of the United
19 States or any department or agency thereof, or of the Senate
20 or House of Representatives, acts as an agent or attorney
21 for prosecuting any claim against the United States, or aids
22 or assists in the prosecution or support of any such claim
23 otherwise than in the proper discharge of his official duties,
24 or receives any gratuity, or any share of or interest in any
25 such claim in consideration of assistance in the prosecution

1 of such claim, shall be fined not more than \$10,000 or im-
2 prisoned not more than one year, or both.

3 This section shall not apply to any person because of
4 his membership in the National Guard of the District of
5 Columbia nor to any person specially excepted by enactment
6 of Congress.

7 § 284. DISQUALIFICATION OF FORMER OFFICERS AND
8 EMPLOYEES IN MATTERS CONNECTED WITH
9 FORMER DUTIES

10 (a) Whoever, having been employed in any agency of
11 the United States, including commissioned officers assigned
12 to duty in such agency, within two years after the time when
13 such employment or service has ceased, prosecutes or acts as
14 counsel, attorney, or agent for prosecuting, any claim against
15 the United States involving any subject matter directly
16 connected with which such person was so employed or
17 performed duty, shall be fined not more than \$10,000 or
18 imprisoned not more than one year, or both.

19 § 285. TAKING OR USING PAPERS RELATING TO CLAIMS

20 Whoever, without authority, takes and carries away from
21 the place where it was filed, deposited, or kept by authority
22 of the United States, any certificate, affidavit, deposition,
23 statement of facts, power of attorney, receipt, voucher, as-
24 signment, or other document, record, file, or paper prepared,

1 fitted, or intended to be used or presented to procure the pay-
2 ment of money from or by the United States or any officer,
3 employee, or agent thereof, or the allowance or payment of
4 the whole or any part of any claim, account, or demand
5 against the United States, whether the same has or has not
6 already been so used or presented, and whether such claim,
7 account, or demand, or any part thereof has or has not al-
8 ready been allowed or paid; or

9 Whoever presents, uses, or attempts to use any such
10 document, record, file, or paper so taken and carried away, to
11 procure the payment of any money from or by the United
12 States, or any officer, employee, or agent thereof, or the
13 allowance or payment of the whole or any part of any claim,
14 account, or demand against the United States—

15 Shall be fined not more than \$5,000 or imprisoned not
16 more than five years, or both.

17 § 286. CONSPIRACY TO DEFRAUD THE GOVERNMENT WITH
18 RESPECT TO CLAIMS

19 Whoever enters into any agreement, combination, or con-
20 spiracy to defraud the United States, or any department or
21 agency thereof, by obtaining or aiding to obtain the payment
22 or allowance of any false, fictitious or fraudulent claim, shall
23 be fined not more than \$10,000 or imprisoned not more than
24 ten years, or both.

1 § 287. FALSE, FICTITIOUS OR FRAUDULENT CLAIMS

2 Whoever makes or presents to any person or officer
3 in the civil, military, or naval service of the United States, or
4 to any department or agency thereof, any claim upon or
5 against the United States, or any department or agency
6 thereof, knowing such claim to be false, fictitious, or fraudu-
7 lent, shall be fined not more than \$10,000 or imprisoned
8 not more than five years, or both.

9 § 288. FALSE CLAIMS FOR POSTAL LOSSES

10 Whoever makes, alleges, or presents any claim or appli-
11 cation for indemnity for the loss of any registered or insured
12 letter, parcel, package, or other article or matter, or the
13 contents thereof, knowing such claim or application to be
14 false, fictitious, or fraudulent; or

15 Whoever for the purpose of obtaining or aiding to obtain
16 the payment or approval of any such claim or application,
17 makes or uses any false statement, certificate, affidavit, or
18 deposition; or

19 Whoever knowingly and willfully misrepresents, or mis-
20 states, or, for the purpose aforesaid, knowingly and willfully
21 conceals any material fact or circumstance in respect of any
22 such claim or application for indemnity—

23 Shall be fined not more than \$500 or imprisoned not
24 more than one year, or both.

1 Where the amount of such claim or application for
2 indemnity is less than \$100 only a fine shall be imposed.

3 § 289. FALSE CLAIMS FOR PENSIONS

4 Whoever knowingly and willfully makes, or presents
5 any false, fictitious or fraudulent affidavit, declaration, cer-
6 tificate, voucher, endorsement, or paper or writing purporting
7 to be such, concerning any claim for pension or payment
8 thereof, or pertaining to any other matter within the juris-
9 diction of the Administrator of Veterans' Affairs, or know-
10 ingly or willfully makes or presents any paper required as a
11 voucher in drawing a pension, which paper bears a date sub-
12 sequent to that upon which it was actually signed or acknowl-
13 edged by the pensioner; or

14 Whoever knowingly and falsely certifies that the declar-
15 ant, affiant, or witness named in such declaration, affidavit,
16 voucher, endorsement, or other paper or writing personally
17 appeared before him and was sworn thereto, or acknowledged
18 the execution thereof—

19 Shall be fined not more than \$10,000 or imprisoned not
20 more than five years, or both.

21 § 290. DISCHARGE PAPERS WITHHELD BY CLAIM AGENT

22 Whoever, being a claim agent, attorney, or other person
23 engaged in the collection of claims for pay, pension, or other
24 allowances for any soldier, sailor, or marine, or for any com-
25 missioned officer of the military or naval forces, or for any

1 person who may have been a soldier, sailor, marine, or officer
2 of the regular or volunteer forces of the United States, or for
3 his dependents or beneficiaries, retains, without the consent of
4 the owner or owners thereof, or refuses to deliver or account
5 for the same upon demand duly made by the owner or own-
6 ers thereof, or by their agent or attorney, the discharge
7 papers of any such soldier, sailor, or marine, or commissioned
8 officer, which may have been placed in his hands for the pur-
9 pose of collecting said claims, shall be fined not more than
10 \$500 or imprisoned not more than six months, or both; and
11 shall be debarred from prosecuting any such claim in any
12 department or agency of the United States.

13 § 291. PURCHASE OF CLAIMS FOR FEES BY COURT OFFI-
14 CIALS

15 Whoever, being a judge, clerk, or deputy clerk of any
16 court of the United States or a Territory or Possession thereof,
17 or a United States district attorney, assistant attorney, mar-
18 shal, deputy marshal, commissioner, or other person holding
19 any office or employment, or position of trust or profit under
20 the United States, directly or indirectly purchases at less than
21 the full face value thereof, any claim against the United States
22 for the fee, mileage, or expenses of any witness, juror, deputy
23 marshal, or any other officer of such court, shall be fined not
24 more than \$1,000.

CHAPTER 17.—COINS AND CURRENCY

Sec.

331. Mutilation, diminution, and falsification of coins.

332. Debasing of coins; alteration of official scales, or embezzlement of metals.

333. Mutilation of national bank obligations.

334. Issuance of Federal Reserve or national bank notes.

335. Circulation of obligations of expired corporations.

336. Issuance of circulating obligations of less than \$1.

1 § 331. MUTILATION, DIMINUTION AND FALSIFICATION
2 OF COINS

3 Whoever fraudulently defaces, mutilates, impairs, dimin-
4 ishes, falsifies, scales, or lightens, the gold or silver coins
5 coined at the mints of the United States, or any foreign gold
6 or silver coins which are by law made current or are in
7 actual use or circulation as money within the United States:
8 or

9 Whoever fraudulently possesses, passes, utters, publishes,
10 or sells, or attempts to pass, utter, publish, or sell, or brings
11 into the United States, any such coin, knowing the same to
12 be defaced, mutilated, impaired, diminished, falsified, scaled,
13 or lightened—

14 Shall be fined not more than \$2,000 or imprisoned not
15 more than five years, or both.

16 § 332. DEBASING OF COINS; ALTERATION OF OFFI-
17 CIAL SCALES, OR EMBEZZLEMENT OF METALS

18 If any of the gold or silver coins struck or coined at
19 any of the mints of the United States shall be debased, or
20 made worse as to the proportion of fine gold or fine silver

1 therein contained, or shall be of less weight or value than
2 the same ought to be, pursuant to law, or if any of the
3 scales or weights used at any of the mints or assay offices
4 of the United States shall be defaced, altered, increased,
5 or diminished through the fault or connivance of any officer
6 or person employed at the said mints or assay offices, with
7 a fraudulent intent; or if any such officer or person shall
8 embezzle any of the metals at any time committed to his
9 charge for the purpose of being coined, or any of the coins
10 struck or coined at the said mints, or any medals, coins,
11 or other moneys of said mints or assay offices at any time
12 committed to his charge, or of which he may have as-
13 sumed the charge, every such officer or person who com-
14 mits any of the said offenses shall be fined not more than
15 \$10,000 or imprisoned not more than ten years, or both.

16 § 333. MUTILATION OF NATIONAL BANK OBLIGATIONS

17 Whoever mutilates, cuts, defaces, disfigures, or perfo-
18 rates, or unites or cements together, or does any other thing
19 to any bank bill, draft, note, or other evidence of debt issued
20 by any national banking association, or Federal Reserve
21 bank, or the Federal Reserve System, with intent to render
22 such bank bill, draft, note, or other evidence of debt unfit to
23 be reissued, shall be fined not more than \$100 or imprisoned
24 not more than six months, or both.

1 § 334. ISSUANCE OF FEDERAL RESERVE OR NATIONAL
2 BANK NOTES

3 Whoever, being a Federal reserve agent, or an agent or
4 employee of such Federal reserve agent, or of the Board of
5 Governors of the Federal Reserve System, issues or puts in
6 circulation any Federal reserve notes, without complying with
7 or in violation of the provisions of law regulating the issuance
8 and circulation of such Federal reserve notes; or

9 Whoever, being an officer acting under the provisions of
10 chapter 2 of Title 12, countersigns or delivers to any national
11 banking association, or to any other company or person, any
12 circulating notes contemplated by that chapter except in
13 strict accordance with its provisions—

14 Shall be fined not more than \$5,000 or imprisoned not
15 more than five years, or both.

16 § 335. CIRCULATION OF OBLIGATIONS OF EXPIRED COR-
17 PORATIONS

18 Whoever, being a director, officer, or agent of a cor-
19 poration created by Act of Congress, the charter of
20 which has expired, or trustee thereof, or an agent of such
21 trustee, or a person having in his possession or under his
22 control the property of such corporation for the purpose of
23 paying or redeeming its notes and obligations, knowingly
24 issues, reissues, or utters as money, or in any other way

1 knowingly puts in circulation any bill, note, check, draft, or
 2 other security purporting to have been made by any such
 3 corporation, or by any officer thereof, or purporting to have
 4 been made under authority derived therefrom, shall be fined
 5 not more than \$10,000 or imprisoned not more than five
 6 years, or both.

7 § 336. ISSUANCE OF CIRCULATING OBLIGATIONS OF LESS
 8 THAN \$1

9 Whoever makes, issues, circulates, or pays out any note,
 10 check, memorandum, token, or other obligation for a less
 11 sum than \$1, intended to circulate as money or to be received
 12 or used in lieu of lawful money of the United States, shall be
 13 fined not more than \$500 or imprisoned not more than six
 14 months, or both.

CHAPTER 19.—CONSPIRACY

Sec.

371. Conspiracy to commit offense or to defraud United States.

372. Conspiracy to impede or injure officer.

15 § 371. CONSPIRACY TO COMMIT OFFENSE OR TO DEFRAUD
 16 UNITED STATES

17 If two or more persons conspire either to commit any
 18 offense against the United States, or to defraud the United
 19 States, or any agency thereof in any manner or for any pur-
 20 pose, and one or more of such persons do any act to effect
 21 the object of the conspiracy, each shall be fined not more
 22 than \$10,000 or imprisoned not more than five years, or
 23 both.

1 If, however, the offense, the commission of which is the
 2 object of the conspiracy, is a misdemeanor only, the punish-
 3 ment for such conspiracy shall not exceed the maximum
 4 punishment provided for such misdemeanor.

5 § 372. CONSPIRACY TO IMPEDE OR INJURE OFFICER

6 If two or more persons in any State, Territory, Posses-
 7 sion, or District conspire to prevent, by force, intimidation,
 8 or threat, any person from accepting or holding any office,
 9 trust, or place of confidence under the United States, or from
 10 discharging any duties thereof, or to induce by like means
 11 any officer of the United States to leave the place, where
 12 his duties as an officer are required to be performed, or to
 13 injure him in his person or property on account of his law-
 14 ful discharge of the duties of his office, or while engaged in
 15 the lawful discharge thereof, or to injure his property so as
 16 to molest, interrupt, hinder, or impede him in the discharge
 17 of his official duties, each of such persons shall be fined not
 18 more than \$5,000 or imprisoned not more than six years,
 19 or both.

CHAPTER 21.—CONTEMPTS CONSTITUTING CRIMES

Séc.

401. Power of court.

402. Criminal contempts.

20 § 401. POWER OF COURT

21 A court of the United States shall have power to punish
 22 by fine or imprisonment, at its discretion, such contempt of
 23 its authority, and none other, as—

1 (1) Misbehavior of any person in its presence or so near
2 thereto as to obstruct the administration of justice;

3 (2) Misbehavior of any of its officers in their official
4 transactions;

5 (3) Disobedience or resistance to its lawful writ, process,
6 order, rule, decree, or command.

7 § 402. CRIMINAL CONTEMPTS

8 Any person, corporation or association willfully dis-
9 obeying any lawful writ, process, order, rule, decree, or
10 command of any district court of the United States or any
11 court of the District of Columbia, by doing any act or thing
12 therein, or thereby forbidden, if the act or thing so done be
13 of such character as to constitute also a criminal offense under
14 any statute of the United States or under the laws of any
15 State in which the act was committed, shall be prosecuted
16 for such contempt as provided in section 3691 of this title
17 and shall be punished by fine or imprisonment, or both.

18 Such fine shall be paid to the United States or to the
19 complainant or other party injured by the act constituting
20 the contempt, or may, where more than one is so damaged,
21 be divided or apportioned among them as the court may
22 direct, but in no case shall the fine to be paid to the United
23 States exceed, in case the accused is a natural person, the
24 sum of \$1,000; nor shall such imprisonment exceed the term
25 of six months.

1 This section shall not be construed to relate to contempts
 2 committed in the presence of the court, or so near thereto
 3 as to obstruct the administration of justice, nor to contempts
 4 committed in disobedience of any lawful writ, process, order,
 5 rule, decree, or command entered in any suit or action
 6 brought or prosecuted in the name of, or on behalf of, the
 7 United States, but the same, and all other cases of contempt
 8 not specifically embraced in this section may be punished in
 9 conformity to the prevailing usages at law.

CHAPTER 23.—CONTRACTS

Sec.

- 431. Contracts by Member of Congress; exceptions.
- 432. Officer or employee contracting with Member of Congress.
- 433. Exemptions with respect to certain contracts.
- 434. Interested persons acting as Government agents.
- 435. Contracts in excess of specific appropriation.
- 436. Convict labor contracts.
- 437. Indian contracts for goods and supplies.
- 438. Indian contracts for services generally.
- 439. Indian enrollment contracts.
- 440. Mail contracts.
- 441. Postal supply contracts.
- 442. Printing contracts.
- 443. War contracts.

10 § 431. CONTRACTS BY MEMBER OF CONGRESS; EXCEP- 11 TIONS

12 Whoever, being a Member of or Delegate to Congress,
 13 or a Resident Commissioner, either before or after he has
 14 qualified, directly or indirectly, himself, or by any other per-
 15 son in trust for him, or for his use or benefit, or on his account,
 16 undertakes, executes, holds, or enjoys, in whole or in part,
 17 any contract or agreement, made or entered into in behalf of

1 the United States or any agency thereof, by any officer or
2 person authorized to make contracts on its behalf, shall be
3 fined not more than \$3,000.

4 All contracts or agreements made in violation of this
5 section shall be void; and whenever any sum of money is
6 advanced by the United States or any agency thereof, in
7 consideration of any such contract or agreement, it shall forth-
8 with be repaid; and in case of failure or refusal to repay the
9 same when demanded by the proper officer of the department
10 or agency under whose authority such contract or agreement
11 shall have been made or entered into, suit shall at once be
12 brought against the person so failing or refusing and his
13 sureties for the recovery of the money so advanced.

14 § 432. OFFICER OR EMPLOYEE CONTRACTING WITH MEM-
15 BER OF CONGRESS

16 Whoever, being an officer or employee of the United
17 States, on behalf of the United States or any agency thereof,
18 directly or indirectly makes or enters into any contract, bar-
19 gain, or agreement, with any Member of or Delegate to Con-
20 gress, or any Resident Commissioner, either before or after
21 he has qualified, shall be fined not more than \$3,000.

22 § 433. EXEMPTIONS WITH RESPECT TO CERTAIN CON-
23 TRACTS

24 Sections 431 and 432 of this title shall not extend to
25 any contract or agreement made or entered into, or accepted

1 by any incorporated company for the general benefit of such
2 corporation; nor to the purchase or sale of bills of exchange
3 or other property where the same are ready for delivery and
4 payment therefor is made at the time of making or entering
5 into the contract or agreement. Nor shall the provisions of
6 such sections apply to advances, loans, discounts, purchase
7 or repurchase agreements, extensions, or renewals thereof, or
8 acceptances, releases or substitutions of security therefor or
9 other contracts or agreements made or entered into under the
10 Reconstruction Finance Corporation Act, the Agricultural
11 Adjustment Act, the Federal Farm Loan Act, the Emergency
12 Farm Mortgage Act of 1933, the Federal Farm Mortgage Cor-
13 poration Act, the Farm Credit Act of 1933, or the Home Own-
14 ers Loan Act of 1933, the Farmers' Home Administration
15 Act of 1946, the Bankhead-Jones Farm Tenant Act, or to
16 crop insurance agreements or contracts or agreements of a kind
17 which the Secretary of Agriculture may enter into with farmers.

18 Any exemption permitted by this section shall be made
19 a matter of public record.

20 § 434. INTERESTED PERSONS ACTING AS GOVERNMENT
21 AGENTS

22 Whoever, being an officer, agent or member of, or
23 directly or indirectly interested in the pecuniary profits or
24 contracts of any corporation, joint-stock company, or asso-
25 ciation, or of any firm or partnership, or other business entity,

1 is employed or acts as an officer or agent of the United States
2 for the transaction of business with such business entity, shall
3 be fined not more than \$2,000 or imprisoned not more than
4 two years, or both.

5 § 435. CONTRACTS IN EXCESS OF SPECIFIC APPROPRIA-
6 TION

7 Whoever, being an officer or employee of the United
8 States, knowingly contracts for the erection, repair, or fur-
9 nishing of any public building, or for any public improve-
10 ment, to pay a larger amount than the specific sum appro-
11 priated for such purpose, shall be fined not more than \$1,000
12 or imprisoned not more than one year, or both.

13 § 436. CONVICT LABOR CONTRACTS

14 Whoever, being an officer, employee, or agent of the
15 United States or any department or agency thereof, contracts
16 with any person or corporation, or permits any warden,
17 agent, or official of any penal or correctional institution, to
18 hire out the labor of any prisoners confined for violation of
19 any laws of the United States, shall be fined not more than
20 \$1,000 or imprisoned not more than three years, or both.

21 § 437. INDIAN CONTRACTS FOR GOODS AND SUPPLIES

22 Whoever, being an officer, employee, or agent of the
23 United States or any department or agency thereof, has any
24 interest, direct or indirect, in any contract made or under
25 negotiation, with the Government or with the Indians, for

1 the purchase or transportation or delivery of goods or sup-
2 plies for the Indians, or for the removal of the Indians, or
3 colludes with any person attempting to obtain such contract,
4 shall be fined not more than \$5,000 or imprisoned not more
5 than six months, or both; and removed from office.

6 § 438. INDIAN CONTRACTS FOR SERVICES GENERALLY

7 Whoever receives money contrary to sections 81 and
8 82 of Title 25, shall be fined not more than \$1,000 or im-
9 prisoned not more than six months, or both; and also forfeit
10 the money so received.

11 § 439. INDIAN ENROLLMENT CONTRACTS

12 Unless the United States consents, all contracts made
13 with any person or persons, applicants for enrollment as
14 citizens in the Five Civilized Tribes for compensation for
15 services in relation thereto, shall be void, and—

16 Whoever collects or receives any moneys from any such
17 applicants for citizenship, shall be fined not more than \$500
18 or imprisoned not more than six months, or both.

19 § 440. MAIL CONTRACTS

20 Whoever, being a person employed in the Postal Service,
21 becomes interested in any contract for carrying the mail, or
22 acts as agent, with or without compensation, for any con-
23 tractor or person offering to become a contractor in any
24 business before the Post Office Department, shall be fined not

1 more than \$5,000 or imprisoned not more than one year,
2 or both.

3 § 441. POSTAL SUPPLY CONTRACTS

4 No contract for furnishing supplies to the Post Office
5 Department or the Postal Service shall be made with any
6 person who has entered, or proposed to enter, into any com-
7 bination to prevent the making of any bid for furnishing
8 such supplies, or to fix a price or prices therefor, or who has
9 made any agreement, or given or performed, or promised to
10 give or perform, any consideration whatever to induce any
11 other person not to bid for any such contract, or to bid at a
12 specified price or prices thereon.

13 Whoever violates this section shall be fined not more than
14 \$5,000 or imprisoned not more than one year, or both; and
15 if the offender is a contractor for furnishing such supplies his
16 contract may be annulled.

17 § 442. PRINTING CONTRACTS

18 Neither the Public Printer, superintendent of printing,
19 superintendent of binding, nor any of their assistants shall,
20 during their continuance in office, have any interest, direct or
21 indirect, in the publication of any newspaper or periodical, or
22 in any printing, binding, engraving, or lithographing of any
23 kind, or in any contract for furnishing paper or other material
24 connected with the public printing, binding, lithographing, or
25 engraving.

1 Whoever violates this section shall be fined not more than
2 \$1,000 or imprisoned not more than one year, or both.

3 § 443. WAR CONTRACTS

4 Whoever wilfully secretes, mutilates, obliterates, or
5 destroys—

6 (a) any records of a war contractor relating to the
7 negotiation, award, performance, payment, interim
8 financing, cancellation or other termination, or settlement
9 of a war contract of \$25,000 or more; or

10 (b) any records of a war contractor or purchaser
11 relating to any disposition of termination inventory in
12 which the consideration received by any war contractor
13 or any government agency is \$5,000 or more,
14 before the lapse of (1) five years after such disposition of
15 termination inventory by such war contractor or government
16 agency, or (2) five years after the final settlement of such
17 war contract, or (3) five years after the termination of hos-
18 tilities in the present war as proclaimed by the President or by
19 a concurrent resolution of the two Houses of Congress, which-
20 ever applicable period is longer, shall, if a corporation, be
21 fined not more than \$50,000, and, if a natural person, be
22 fined not more than \$10,000 or imprisoned not more than
23 five years, or both.

24 The Director of Contract Settlement, by regulation, may
25 authorize the destruction of such records upon such terms

1 and conditions as he deems appropriate, including the require-
 2 ment for the making and retaining of photographs or micro-
 3 photographs, which shall have the same force and effect as
 4 the originals thereof.

5 The definitions of terms in section 103 of Title 41 shall
 6 apply to similar terms used in this section.

CHAPTER 25.—COUNTERFEITING AND FORGERY

Sec.

- 471. Obligations or securities of United States.
- 472. Uttering counterfeit obligations or securities.
- 473. Dealing in counterfeit obligations or securities.
- 474. Plates or stones for counterfeiting obligations or securities.
- 475. Imitating obligations or securities; advertisements.
- 476. Taking impressions of tools used for obligations or securities.
- 477. Possessing or selling impressions of tools used for obligations or securities.
- 478. Foreign obligations or securities.
- 479. Uttering counterfeit foreign obligations or securities.
- 480. Possessing counterfeit foreign obligations or securities.
- 481. Plates or stones for counterfeiting foreign obligations or securities.
- 482. Foreign bank notes.
- 483. Uttering counterfeit foreign bank notes.
- 484. Connecting parts of different notes.
- 485. Gold or silver coins or bars.
- 486. Uttering coins of gold, silver or other metal.
- 487. Making or possessing counterfeit dies for coins.
- 488. Making or possessing counterfeit dies for foreign coins.
- 489. Making or possessing likeness of coins; publisher's illustrations excepted.
- 490. Minor coins.
- 491. Tokens used as money or similar to coins.
- 492. Forfeiture of counterfeit paraphernalia.
- 493. Bonds and obligations of certain lending agencies.
- 494. Contractors' bonds, bids, and public records.
- 495. Contracts, deeds, and powers of attorney.
- 496. Customs entry certificates.
- 497. Letters patent.
- 498. Military or naval discharge certificates.
- 499. Military, naval, or official passes.
- 500. Money orders.
- 501. Postage stamps and postal cards.
- 502. Postage and revenue stamps of foreign governments.
- 503. Postmarking stamps.
- 504. Printing stamps for philatelic purposes.
- 505. Seals of courts; signatures of judges or court officers.
- 506. Seals of departments or agencies.

Sec.

507. Ship's papers.

508. Transportation requests of Government.

509. Possessing and making plates or stones for Government transportation requests.

1 § 471. OBLIGATIONS OR SECURITIES OF UNITED STATES

2 Whoever, with intent to defraud, falsely makes, forges,
3 counterfeits, or alters any obligation or other security of the
4 United States, shall be fined not more than \$5,000 or im-
5 prisoned not more than fifteen years, or both.

6 § 472. UTTERING COUNTERFEIT OBLIGATIONS OR SECURI-
7 TIES

8 Whoever, with intent to defraud, passes, utters, publishes,
9 or sells, or attempts to pass, utter, publish, or sell, or with
10 like intent brings into the United States or keeps in possession
11 or conceals any falsely made, forged, counterfeited, or altered
12 obligation or other security of the United States, shall be
13 fined not more than \$5,000 or imprisoned not more than
14 fifteen years, or both.

15 § 473. DEALING IN COUNTERFEIT OBLIGATIONS OR SE-
16 CURITIES

17 Whoever buys, sells, exchanges, transfers, receives, or
18 delivers any false, forged, counterfeited, or altered obliga-
19 tion or other security of the United States, with the intent
20 that the same be passed, published, or used as true and gen-
21 uine, shall be fined not more than \$5,000 or imprisoned not
22 more than ten years, or both.

1 § 474. PLATES OR STONES FOR COUNTERFEITING OBLIGA-
2 TIONS OR SECURITIES

3 Whoever, having control, custody, or possession of any
4 plate, stone, or other thing, or any part thereof, from which
5 has been printed, or which may be prepared by direction of
6 the Secretary of the Treasury for the purpose of printing, any
7 obligation or other security of the United States, uses such
8 plate, stone, or other thing, or any part thereof, or knowingly
9 suffers the same to be used for the purpose of printing any
10 such or similar obligation or other security, or any part
11 thereof, except as may be printed for the use of the United
12 States by order of the proper officer thereof; or

13 Whoever makes or executes any plate, stone, or other
14 thing in the likeness of any plate designated for the printing
15 of such obligation or other security; or

16 Whoever sells any such plate, stone, or other thing, or
17 brings into the United States any such plate, stone, or other
18 thing, except under the direction of the Secretary of the
19 Treasury or other proper officer, or with any other intent, in
20 either case, than that such plate, stone, or other thing be
21 used for the printing of the obligations or other securities
22 of the United States; or

23 Whoever has in his control, custody, or possession any
24 plate, stone, or other thing in any manner made after or in
25 the similitude of any plate, stone, or other thing, from which

1 any such obligation or other security has been printed, with
2 intent to use such plate, stone, or other thing, or to suffer
3 the same to be used in forging or counterfeiting any such
4 obligation or other security, or any part thereof; or

5 Whoever has in his possession or custody, except under
6 authority from the Secretary of the Treasury or other proper
7 officer, any obligation or other security made or executed,
8 in whole or in part, after the similitude of any obligation or
9 other security issued under the authority of the United States,
10 with intent to sell or otherwise use the same; or

11 Whoever prints, photographs, or in any other manner
12 makes or executes any engraving, photograph, print, or im-
13 pression in the likeness of any such obligation or other
14 security, or any part thereof, or sells any such engraving,
15 photograph, print, or impression, except to the United States,
16 or brings into the United States, any such engraving, photo-
17 graph, print, or impression, except by direction of some
18 proper officer of the United States; or

19 Whoever has or retains in his control or possession,
20 after a distinctive paper has been adopted by the Secretary
21 of the Treasury for the obligations and other securities of
22 the United States, any similar paper adapted to the making
23 of any such obligation or other security, except under the
24 authority of the Secretary of the Treasury or some other
25 proper officer of the United States—

1 Shall be fined not more than \$5,000 or imprisoned not
2 more than fifteen years, or both.

3 § 475. IMITATING OBLIGATIONS OR SECURITIES; ADVER-
4 TISEMENTS

5 Whoever designs, engraves, prints, makes or executes,
6 or utters, issues, distributes, circulates, or uses any business
7 or professional card, notice, placard, circular, handbill, or
8 advertisement in the likeness or similitude of any obligation
9 or security of the United States issued under or authorized
10 by any Act of Congress or writes, prints, or otherwise
11 impresses upon any such instrument, obligation, or security,
12 any business or professional card, notice, or advertisement,
13 or any notice or advertisement whatever, shall be fined not
14 more than \$500.

15 § 476. TAKING IMPRESSIONS OF TOOLS USED FOR OBLIGA-
16 TIONS OR SECURITIES

17 Whoever, without authority from the United States.
18 takes, procures, or makes an impression, stamp, or imprint
19 of, from or by the use of any tool, implement, instrument,
20 or thing used or fitted or intended to be used in printing,
21 stamping, or impressing, or in making other tools, imple-
22 ments, instruments, or things to be used or fitted or intended
23 to be used in printing, stamping, or impressing any obliga-
24 tion or other security of the United States, shall be fined

1 not more than \$5,000 or imprisoned not more than ten years,
2 or both.

3 § 477. POSSESSING OR SELLING IMPRESSIONS OF TOOLS
4 USED FOR OBLIGATIONS OR SECURITIES

5 Whoever, with intent to defraud, possesses, keeps,
6 safeguards, or controls, without authority from the United
7 States, any imprint, stamp, or impression, taken or made
8 upon any substance or material whatsoever, of any tool, im-
9 plement, instrument or thing, used, fitted or intended to be
10 used, for any of the purposes mentioned in section 476 of
11 this title; or

12 Whoever, with intent to defraud, sells, gives, or delivers
13 any such imprint, stamp, or impression to any other person—

14 Shall be fined not more than \$5,000 or imprisoned not
15 more than ten years, or both.

16 § 478. FOREIGN OBLIGATIONS OR SECURITIES

17 Whoever, within the United States, with intent to de-
18 fraud, falsely makes, alters, forges, or counterfeits any bond,
19 certificate, obligation, or other security of any foreign gov-
20 ernment, purporting to be or in imitation of any such security
21 issued under the authority of such foreign government, or
22 any treasury note, bill, or promise to pay, lawfully issued by
23 such foreign government and intended to circulate as money,
24 shall be fined not more than \$5,000 or imprisoned not more
25 than five years, or both.

1 § 479. UTTERING COUNTERFEIT FOREIGN OBLIGATIONS OR
2 SECURITIES

3 Whoever, within the United States, knowingly and with
4 intent to defraud, utters, passes, or puts off, in payment or
5 negotiation, any false, forged, or counterfeited bond, certifi-
6 cate, obligation, security, treasury note, bill, or promise to
7 pay, mentioned in section 478 of this title, whether or not
8 the same was made, altered, forged, or counterfeited within
9 the United States, shall be fined not more than \$3,000 or
10 imprisoned not more than three years, or both.

11 § 480. POSSESSING COUNTERFEIT FOREIGN OBLIGATIONS
12 OR SECURITIES

13 Whoever, within the United States, knowingly and with
14 intent to defraud, possesses or delivers any false, forged, or
15 counterfeit bond, certificate, obligation, security, treasury
16 note, bill, promise to pay, bank note, or bill issued by a bank
17 or corporation of any foreign country, shall be fined not more
18 than \$1,000 or imprisoned not more than one year, or both.

19 § 481. PLATES OR STONES FOR COUNTERFEITING FOREIGN
20 OBLIGATIONS OR SECURITIES

21 Whoever, within the United States except by lawful au-
22 thority, controls, holds, or possesses any plate, stone, or other
23 thing, or any part thereof, from which has been printed or
24 may be printed any counterfeit note, bond, obligation, or
25 other security, in whole or in part, of any foreign govern-

1 ment, bank, or corporation, or uses such plate, stone, or other
2 thing, or knowingly permits or suffers the same to be used
3 in counterfeiting such foreign obligations, or any part thereof;
4 or

5 Whoever, except by lawful authority, makes or en-
6 graves any plate, stone, or other thing in the likeness or
7 similitude of any plate, stone, or other thing designated for
8 the printing of the genuine issues of the obligations of any
9 foreign government, bank, or corporation; or

10 Whoever, except by lawful authority, prints, photo-
11 graphs, or makes, executes, or sells any engraving, photo-
12 graph, print, or impression in the likeness of any genuine
13 note, bond, obligation, or other security, or any part thereof,
14 of any foreign government, bank, or corporation; or

15 Whoever brings into the United States any counterfeit
16 plate, stone, or other thing, engraving, photograph, print, or
17 other impressions of the notes, bonds, obligations, or other
18 securities of any foreign government, bank, or corporation—

19 Shall be fined not more than \$5,000 or imprisoned not
20 more than five years, or both.

21 § 482. FOREIGN BANK NOTES

22 Whoever, within the United States, with intent to de-
23 fraud, falsely makes, alters, forges, or counterfeits any bank
24 note or bill issued by a bank or corporation of any foreign
25 country, and intended by the law or usage of such foreign

1 country to circulate as money, such bank or corporation be-
2 ing authorized by the laws of such country, shall be fined
3 not more than \$2,000 or imprisoned not more than two years,
4 or both.

5 § 483. UTTERING COUNTERFEIT FOREIGN BANK NOTES

6 Whoever, within the United States, utters, passes, puts
7 off, or tenders in payment, with intent to defraud, any such
8 false, forged, altered, or counterfeited bank note or bill, men-
9 tioned in section 482 of this title, knowing the same to be so
10 false, forged, altered, and counterfeited, whether or not the
11 same was made, forged, altered, or counterfeited within the
12 United States, shall be fined not more than \$1,000 or im-
13 prisoned not more than one year, or both.

14 § 484. CONNECTING PARTS OF DIFFERENT NOTES

15 Whoever so places or connects together different parts
16 of two or more notes, bills, or other genuine instruments
17 issued under the authority of the United States, or by any
18 foreign government, or corporation, as to produce one instru-
19 ment, with intent to defraud, shall be guilty of forgery in
20 the same manner as if the parts so put together were falsely
21 made or forged, and shall be fined not more than \$1,000
22 or imprisoned not more than five years, or both.

23 § 485. GOLD OR SILVER COINS OR BARS

24 Whoever falsely makes, forges, or counterfeits any coin
25 or bars in resemblance or similitude of the gold or silver coins

1 or bars coined or stamped at the mints and assay offices of
2 the United States, or in resemblance or similitude of any
3 foreign gold or silver coin current in the United States, or
4 are in actual use and circulation as money within the United
5 States; or

6 Whoever passes, utters, publishes or sells, or attempts
7 to pass, utter, publish, or sell, or bring into the United States,
8 from any foreign place, knowing the same to be false, forged,
9 or counterfeit, with intent to defraud any body politic or
10 corporate, or any person, or possesses any such false, forged,
11 or counterfeited coin or bars, knowing the same to be false,
12 forged, or counterfeited, with intent to defraud any body
13 politic or corporate, or any person—

14 Shall be fined not more than \$5,000 or imprisoned not
15 more than fifteen years, or both.

16 § 486. UTTERING COINS OF GOLD, SILVER OR OTHER
17 METAL

18 Whoever, except as authorized by law, makes or utters
19 or passes, or attempts to utter or pass, any coins of gold or
20 silver or other metal, or alloys of metals, intended for use as
21 current money, whether in the resemblance of coins of the
22 United States or of foreign countries, or of original design,
23 shall be fined not more than \$3,000 or imprisoned not more
24 than five years, or both.

1 § 487. MAKING OR POSSESSING COUNTERFEIT DIES FOR
2 COINS

3 Whoever, without lawful authority, makes any die, hub,
4 or mold, or any part thereof, either of steel or plaster, or
5 any other substance, in likeness or similitude, as to the design
6 or the inscription thereon, of any die, hub, or mold design-
7 nated for the coining or making of any of the genuine gold,
8 silver, nickel, bronze, copper, or other coins coined at the
9 mints of the United States; or

10 Whoever, without lawful authority, possesses any such
11 die, hub, or mold, or any part thereof, or permits the same
12 to be used for or in aid of the counterfeiting of any such
13 coins of the United States—

14 Shall be fined not more than \$5,000 or imprisoned not
15 more than fifteen years, or both.

16 §. 488. MAKING OR POSSESSING COUNTERFEIT DIES FOR
17 FOREIGN COINS

18 Whoever, within the United States, without lawful
19 authority, makes any die, hub, or mold, or any part thereof,
20 either of steel or of plaster, or of any other substance, in
21 the likeness or similitude, as to the design or the inscription
22 thereon, of any die, hub, or mold designated for the coining
23 of the genuine coin of any foreign government; or

24 Whoever, without lawful authority, possesses any such
25 die, hub, or mold, or any part thereof, or conceals, or know-

1 ingly suffers the same to be used for the counterfeiting of
 2 any foreign coin—

3 Shall be fined not more than \$5,000 or imprisoned not
 4 more than five years, or both.

5 § 489. MAKING OR POSSESSING LIKENESS OF COINS; PUB-
 6 LISHES' ILLUSTRATIONS EXCEPTED

7 Whoever, within the United States, makes or brings
 8 therein from any foreign country, or possesses with intent to
 9 sell, give away, or in any other manner uses the same, any
 10 business or professional card, notice, placard, token, device,
 11 print, or impression, or any other thing whatsoever, in the
 12 likeness or similitude as to design, color, or the inscription
 13 thereon of any of the coins of the United States or of any
 14 foreign country issued as money, either under the authority
 15 of the United States or under the authority of any foreign
 16 government, shall be fined not more than \$100.

17 This section shall not forbid or prevent the printing and
 18 publishing of illustrations of coins and medals or the making
 19 of the necessary plates for the same to be used in illustrating
 20 numismatic and historical books and journals and school
 21 arithmetics and the circulars of legitimate publishers and
 22 dealers in the same.

23 § 490. MINOR COINS

24 Whoever falsely makes, forges, or counterfeits any coin

1 in the resemblance or similitude of any of the minor coins
2 coined at the mints of the United States; or

3 Whoever passes, utters, publishes, or sells, or brings into
4 the United States, or possesses any such false, forged, or
5 counterfeited coin, with intent to defraud any person, shall
6 be fined not more than \$1,000 or imprisoned not more than
7 three years, or both.

8 § 491. TOKENS USED AS MONEY OR SIMILAR TO COINS

9 (a) Whoever, not lawfully authorized, makes, issues,
10 or passes any coin, card, token, or device in metal, or its
11 compounds, which may be intended to be used as money for
12 any 1-cent, 2-cent, 3-cent, or 5-cent piece, authorized by law,
13 or for coins of equal value, shall be fined not more than
14 \$1,000 or imprisoned not more than one year, or both.

15 (b) Whoever manufactures, sells, offers, or advertises
16 for sale, or exposes or keeps with intent to furnish or sell
17 any token, slug, disk, or other device similar in size and
18 shape to any of the lawful coins of the United States, or any
19 token, disk, or other device issued or authorized in connec-
20 tion with rationing by any agency of the United States with
21 knowledge or reason to believe that such tokens, slugs, disks,
22 or other devices may be used unlawfully or fraudulently to
23 procure anything of value, or the use or enjoyment of any
24 property or service from any automatic merchandise vending
25 machine, postage-stamp machine, turnstile, fare box, coin-box

1 telephone, parking meter, or other receptacle, depository, or
2 contrivance, designed to receive or to be operated by lawful
3 coins of the United States, shall be fined not more than
4 \$1,000 or imprisoned not more than one year, or both.

5 (c) "Knowledge or reason to believe", within the
6 meaning of paragraph (b) of this section, may be shown
7 by proof that any law-enforcement officer has, prior to the
8 commission of the offense with which the defendant is
9 charged, informed the defendant that tokens, slugs, disks, or
10 other devices of the kind manufactured, sold, offered, or
11 advertised for sale by him or exposed or kept with intent
12 to furnish or sell, are being used unlawfully or fraudulently
13 to operate certain specified automatic merchandise vending
14 machines, postage-stamp machines, turnstiles, fare boxes,
15 coin-box telephones, parking meters, or other receptacles,
16 depositories, or contrivances, designed to receive or to be
17 operated by lawful coins of the United States.

18 § 492. FORFEITURE OF COUNTERFEIT PARAPHERNALIA

19 All counterfeits of any coins or obligations or other
20 securities of the United States or of any foreign government,
21 or any articles, devices, and other things made, possessed,
22 or used in violation of this chapter or of sections 331-333,
23 335, 336, 642 or 1720, of this title, or any material or
24 apparatus used or fitted or intended to be used, in the making
25 of such counterfeits, articles, devices or things, found in

1 the possession of any person without authority from the
2 Secretary of the Treasury or other proper officer, shall be
3 forfeited to the United States.

4 Whoever, having the custody or control of any such
5 counterfeits, material, apparatus, articles, devices, or other
6 things, fails or refuses to surrender possession thereof upon
7 request by any authorized agent of the Treasury Depart-
8 ment, or other proper officer, shall be fined not more than
9 \$100 or imprisoned not more than one year, or both.

10 Whenever, except as hereinafter in this section pro-
11 vided, any person interested in any article, device, or
12 other thing, or material or apparatus seized under this
13 section files with the Secretary of the Treasury, before the
14 disposition thereof, a petition for the remission or mitigation
15 of such forfeiture, the Secretary of the Treasury, if he finds
16 that such forfeiture was incurred without willful negligence
17 or without any intention on the part of the petitioner to vio-
18 late the law, or finds the existence of such mitigating cir-
19 cumstances as to justify the remission or the mitigation of
20 such forfeiture, may remit or mitigate the same upon such
21 terms and conditions as he deems reasonable and just.

22 If the seizure involves offenses other than offenses
23 against the coinage, currency, obligations or securities of
24 the United States or any foreign government, the petition
25 for the remission or mitigation of forfeiture shall be referred

1 to the Attorney General, who may remit or mitigate the
2 forfeiture upon such terms as he deems reasonable and just.

3 § 493. BONDS AND OBLIGATIONS OF CERTAIN LENDING
4 AGENCIES

5 Whoever falsely makes, forges, counterfeits or alters any
6 note, bond, debenture, coupon, obligation, instrument, or
7 writing in imitation or purporting to be in imitation of, a
8 note, bond, debenture, coupon, obligation, instrument or
9 writing, issued by the Reconstruction Finance Corporation,
10 Federal Deposit Insurance Corporation, Home Owners' Loan
11 Corporation, Farm Credit Administration, Federal Housing
12 Administration, Federal Farm Mortgage Corporation or any
13 land bank, intermediate credit bank, bank for cooperatives
14 or any lending, mortgage, insurance, credit or savings and
15 loan corporation or association authorized or acting under the
16 laws of the United States, shall be fined not more than
17 \$10,000 or imprisoned not more than five years, or both.

18 Whoever passes, utters, or publishes, or attempts to pass,
19 utter or publish any note, bond, debenture, coupon, obliga-
20 tion, instrument or document knowing the same to have been
21 falsely made, forged, counterfeited or altered, contrary to the
22 provisions of this section, shall be fined not more than
23 \$10,000 or imprisoned not more than five years, or both.

24 § 494. CONTRACTORS' BONDS, BIDS, AND PUBLIC RECORDS

25 Whoever fasely makes, alters, forges, or counterfeits

1 any bond, bid, proposal, contract, guarantee, security, official
 2 bond, public record, affidavit, or other writing for the pur-
 3 pose of defrauding the United States; or

4 Whoever utters or publishes as true or possesses with
 5 intent to utter or publish as true, any such false, forged,
 6 altered, or counterfeited writing, knowing the same to be
 7 false, forged, altered, or counterfeited; or

8 Whoever transmits to, or presents at any office or to any
 9 officer of the United States, any such false, forged, altered,
 10 or counterfeited writing, knowing the same to be false,
 11 forged, altered, or counterfeited—

12 Shall be fined not more than \$1,000 or imprisoned not
 13 more than ten years, or both.

14 § 495. CONTRACTS, DEEDS, AND POWERS OF ATTORNEY

15 Whoever falsely makes, alters, forges, or counterfeits any
 16 deed, power of attorney, order, certificate, receipt, contract,
 17 or other writing, for the purpose of obtaining or receiving,
 18 or of enabling any other person, either directly or indirectly,
 19 to obtain or receive from the United States or any officers or
 20 agents thereof, any sum of money; or

21 Whoever utters or publishes as true any such false,
 22 forged, altered, or counterfeited writing, with intent to
 23 defraud the United States, knowing the same to be false,
 24 altered, forged, or counterfeited; or

25 Whoever transmits to, or presents at any office or officer

1 of the United States, any such writing in support of, or
2 in relation to, any account or claim, with intent to defraud
3 the United States, knowing the same to be false, altered,
4 forged, or counterfeited—

5 Shall be fined not more than \$1,000 or imprisoned not
6 more than ten years, or both.

7 § 496. CUSTOMS MATTERS

8 Whoever forges, counterfeits or falsely alters any writ-
9 ing made or required to be made in connection with the
10 entry or withdrawal of imports or collection of customs
11 duties, or uses any such writing knowing the same to be
12 forged, counterfeited or falsely altered, shall be fined not
13 more than \$10,000 or imprisoned not more than three years,
14 or both.

15 § 497. LETTERS PATENT

16 Whoever falsely makes, forges, counterfeits, or alters any
17 letters patent granted or purporting to have been granted by
18 the President of the United States; or

19 Whoever passes, utters, or publishes, or attempts to pass,
20 utter, or publish as genuine, any such letters patent, knowing
21 the same to be forged, counterfeited or falsely altered—

22 Shall be fined not more than \$5,000 or imprisoned not
23 more than ten years, or both.

24 § 498. MILITARY OR NAVAL DISCHARGE CERTIFICATES

25 Whoever forges, counterfeits, or falsely alters any certifi-

1 cate of discharge from the military or naval service of the
2 United States, or uses, unlawfully possesses or exhibits any
3 such certificate, knowing the same to be forged, counterfeited,
4 or falsely altered, shall be fined not more than \$1,000 or
5 imprisoned not more than one year, or both.

6 § 499. MILITARY, NAVAL, OR OFFICIAL PASSES

7 Whoever falsely makes, forges, counterfeits, alters, or
8 tampers with any naval, military, or official pass or permit,
9 issued by or under the authority of the United States, or
10 with intent to defraud uses or possesses any such pass or
11 permit, or personates or falsely represents himself to be or
12 not to be a person to whom such pass or permit has been
13 duly issued, or willfully allows any other person to have or
14 use any such pass or permit, issued for his use alone, shall
15 be fined not more than \$2,000 or imprisoned not more than
16 five years, or both.

17 § 500. MONEY ORDERS

18 Whoever, with intent to defraud, falsely makes, forges,
19 counterfeits, engraves, or prints any order in imitation of or
20 purporting to be a money order issued by the Post Office
21 Department, or by any postmaster or agent thereof; or

22 Whoever forges or counterfeits the signature of any post-
23 master, assistant postmaster, chief clerk, or clerk, upon or
24 to any money order, or postal note, or blank therefor pro-
25 vided or issued by or under the direction of the Post Office

1 Department of the United States, or of any foreign country,
2 and payable in the United States, or any material signature
3 or indorsement thereon, or any material signature to any
4 receipt or certificate of identification thereof; or

5 Whoever falsely alters in any material respect, any such
6 money order or postal note; or

7 Whoever, with intent to defraud, passes, utters or pub-
8 lishes, any such forged or altered money order or postal note,
9 knowing any material signature or indorsement thereon to
10 be false, forged, or counterfeited, or any material alteration
11 therein to have been falsely made; or

12 Whoever issues any money order or postal note without
13 having previously received or paid the full amount of money
14 payable therefor, with the purpose of fraudulently obtaining
15 or receiving, or fraudulently enabling any other person,
16 either directly or indirectly, to obtain or receive from the
17 United States, or any officer, employee, or agent thereof, any
18 sum of money whatever; or

19 Whoever, with intent to defraud the United States or
20 any person, transmits or presents to any officer or employee,
21 or at any office of the United States, any money order or
22 postal note, knowing the same to contain any forged or
23 counterfeited signature to the same, or to any material in-
24 dorsement, receipt, or certificate thereon, or material altera-
25 tion therein unlawfully made, or to have been unlawfully

1 issued without previous payment of the amount required to
2 be paid upon such issue—

3 Shall be fined not more than \$5,000 or imprisoned not
4 more than five years, or both.

5 § 501. POSTAGE STAMPS AND POSTAL CARDS

6 Whoever forges or counterfeits any postage stamp, or any
7 stamp printed upon any stamped envelope, or postal card, or
8 any die, plate, or engraving therefor; or

9 Whoever makes or prints, or knowingly uses or sells, or
10 possesses with intent to use or sell, any such forged or coun-
11 terfeited postage stamp, stamped envelope, postal card, die,
12 plate, or engraving; or

13 Whoever makes, or knowingly uses or sells, or possesses
14 with intent to use or sell, any paper bearing the watermark of
15 any stamped envelope, or postal card, or any fraudulent imita-
16 tion thereof; or

17 Whoever makes or prints, or authorizes to be made or
18 printed, any postage stamp, stamped envelope, or postal card,
19 of the kind authorized and provided by the Post Office De-
20 partment, without the special authority and direction of said
21 department; or

22 Whoever, after such postage stamp, stamped envelope,
23 or postal card has been printed, with intent to defraud, de-
24 livers the same to any person not authorized by an instrument
25 in writing, duly executed under the hand of the Postmaster

1 General and the seal of the Post Office Department, to re-
2 ceive it—

3 Shall be fined not more than \$500 or imprisoned not
4 more than five years, or both.

5 § 502. POSTAGE AND REVENUE STAMPS OF FOREIGN
6 GOVERNMENTS

7 Whoever forges, or counterfeits, or knowingly utters or
8 uses any forged or counterfeit postage stamp or revenue stamp
9 of any foreign government, shall be fined not more than \$500
10 or imprisoned not more than five years, or both.

11 § 503. POSTMARKING STAMPS

12 Whoever forges or counterfeits any postmarking stamp,
13 or impression thereof with intent to make it appear that
14 such impression is a genuine postmark, or makes or know-
15 ingly uses or sells, or possesses with intent to use or sell,
16 any forged or counterfeited postmarking stamp, die, plate,
17 or engraving, or such impression thereof, shall be fined not
18 more than \$1,000 or imprisoned not more than five years,
19 or both.

20 § 504. PRINTING STAMPS FOR PHILATELIC PURPOSES

21 (a) Nothing in sections 481, 492 and 502 of this title,
22 or in any other provision of law, shall forbid or prevent the
23 printing, publishing, or importation, or the making or impor-
24 tation of the necessary plates for such printing or publishing,
25 for philatelic purposes in articles, books, journals, newspapers,

1 or albums (including the circulars or advertising literature of
2 legitimate dealers in stamps or publishers of or dealers in
3 philatelic or historical articles, books, journals, or albums), of
4 black and white illustrations of—

5 (1) foreign revenue stamps if from plates so defaced
6 as to indicate that the illustrations are not adapted or in-
7 tended for use as stamps;

8 (2) foreign postage stamps; or

9 (3) such portion of the border of a stamp of the
10 United States as may be necessary to show minor dis-
11 tinctive features of the stamp so illustrated, but all such
12 illustrations shall be at least four times as large as the
13 portion of the original United States stamp so illustrated.

14 (b) Notwithstanding any other provision of law, the
15 Secretary of the Treasury, subject to the approval of the
16 President, may, upon finding that no hindrance to the sup-
17 pression of counterfeiting and no tendency to bring into dis-
18 repute any obligation or other security of the United States
19 will result, by regulations, permit, to the extent and under
20 such conditions as he may deem appropriate, the printing,
21 publishing or importation or the making or importation of
22 the necessary plates for such printing or publishing, for philatelic
23 purposes in articles, books, journals, newspapers, or
24 albums (including the circulars or advertising literature of
25 legitimate dealers in stamps or publishers of or dealers in

1 philatelic or historical articles, books, journals, or albums),
2 of black and white illustrations of canceled or uncanceled
3 United States postage stamps.

4 The Secretary, subject to the approval of the President,
5 may amend or repeal such regulations at any time. Such
6 regulations, and any amendment or repeal thereof, shall be-
7 come effective upon publication thereof in the Federal Regis-
8 ter or upon such date as may be specified therein if later than
9 the date of publication.

10 All findings of fact made hereunder shall be final and
11 conclusive and shall not be subject to review.

12 § 505. SEALS OF COURTS; SIGNATURES OF JUDGES OR
13 COURT OFFICERS

14 Whoever forges the signature of any judge, register, or
15 other officer of any court of the United States, or of any
16 Territory thereof, or forges or counterfeits the seal of any
17 such court, or knowingly concurs in using any such forged
18 or counterfeit signature or seal, for the purpose of authenti-
19 cating any proceeding or document, or tenders in evidence
20 any such proceeding or document with a false or counterfeit
21 signature of any such judge, register, or other officer, or a
22 false or counterfeit seal of the court, subscribed or attached
23 thereto, knowing such signature or seal to be false or counter-
24 feit, shall be fined not more than \$5,000 or imprisoned not
25 more than five years, or both.

1 § 506. SEALS OF DEPARTMENTS OR AGENCIES

2 Whoever falsely makes, forges, counterfeits, mutilates,
3 or alters the seal of any department or agency of the United
4 States; or

5 Whoever knowingly uses, affixes, or impresses any such
6 fraudulently made, forged, counterfeited, mutilated, or altered
7 seal to or upon any certificate, instrument, commission, docu-
8 ment, or paper, of any description; or

9 Whoever, with fraudulent intent, possesses any such
10 seal, knowing the same to have been so falsely made, forged,
11 counterfeited, mutilated, or altered—

12 Shall be fined not more than \$5.000 or imprisoned not
13 more than five years, or both.

14 § 507. SHIP'S PAPERS

15 Whoever falsely makes, forges, counterfeits, or alters
16 any instrument in imitation of or purporting to be, an ab-
17 stract or official copy or certificate of the recording, registry,
18 or enrollment of any vessel, in the office of any collector of
19 the customs, or a license to any vessel for carrying on the
20 coasting trade or fisheries of the United States, or a certificate
21 of ownership, pass, or clearance, granted for any vessel,
22 under the authority of the United States, or a permit, de-
23 benture, or other official document granted by any collector
24 or other officer of the customs by virtue of his office; or

1 Whoever utters, publishes, or passes, or attempts to
2 utter, publish, or pass, as true, any such false, forged, coun-
3 terfeited, or falsely altered instrument, abstract, official copy,
4 certificate, license, pass, clearance, permit, debenture, or
5 other official document herein specified, knowing the same
6 to be false, forged, counterfeited, or falsely altered, with
7 an intent to defraud—

8 Shall be fined not more than \$1,000 or imprisoned not
9 more than three years, or both.

10 § 508. TRANSPORTATION REQUESTS OF GOVERNMENT

11 Whoever falsely makes, forges, or counterfeits in whole
12 or in part, any form or request in similitude of the form or
13 request provided by the Government for requesting a common
14 carrier to furnish transportation on account of the United
15 States or any department or agency thereof, or knowingly
16 alters any form or request provided by the Government for
17 requesting a common carrier to furnish transportation on
18 account of the United States or any department or agency
19 thereof; or

20 Whoever knowingly passes, utters, publishes, or sells,
21 or attempts to pass, utter, publish, or sell, any such false
22 forged, counterfeited, or altered form or request—

23 Shall be fined not more than \$5,000 or imprisoned not
24 more than ten years, or both.

1 § 509. POSSESSING AND MAKING PLATES OR STONES FOR
2 GOVERNMENT TRANSPORTATION REQUESTS

3 Whoever, except by lawful authority, controls, holds or
4 possesses any plate, stone, or other thing, or any part there-
5 of, from which has been printed or may be printed any form
6 or request for Government transportation, or uses such plate,
7 stone, or other thing, or knowingly permits or suffers the
8 same to be used in making any such form or request or any
9 part of such a form or request; or

10 Whoever makes or engraves any plate, stone, or thing,
11 in the likeness of any plate, stone, or thing designated for the
12 printing of the genuine issues of the form or request for
13 Government transportation; or

14 Whoever prints, photographs, or in any other manner
15 makes, executes, or sells any engraving, photograph, print,
16 or impression in the likeness of any genuine form or request
17 for Government transportation, or any part thereof; or

18 Whoever brings into the United States or any place
19 subject to the jurisdiction thereof, any plate, stone, or other
20 thing, or engraving, photograph, print, or other impression
21 of the form or request for Government transportation—

22 Shall be fined not more than \$5,000 or imprisoned not
23 more than ten years, or both.

CHAPTER 27.—CUSTOMS

Sec.

541. Entry of goods falsely classified.
542. Entry of goods by means of false statements.
543. Entry of goods for less than legal duty.
544. Relanding of goods.
545. Smuggling goods into the United States.
546. Smuggling goods into foreign countries.
547. Depositing goods in buildings on boundaries.
548. Removing or repacking goods in warehouses.
549. Removing goods from customs custody; breaking seals.
550. False claim for refund of duties.
551. Concealing or destroying invoices or other papers.
552. Officers aiding importation of obscene or treasonous books and articles.

1 § 541. ENTRY OF GOODS FALSELY CLASSIFIED

2 Whoever knowingly effects any entry of goods, wares,
3 or merchandise, at less than the true weight or measure
4 thereof, or upon a false classification as to quality or value,
5 or by the payment of less than the amount of duty legally
6 due, shall be fined not more than \$5,000 or imprisoned not
7 more than two years, or both.

8 § 542. ENTRY OF GOODS BY MEANS OF FALSE STATE-
9 MENTS

10 Whoever enters or introduces, or attempts to enter or
11 introduce, into the commerce of the United States any im-
12 ported merchandise by means of any fraudulent or false
13 invoice, declaration, affidavit, letter, paper, or by means of
14 any false statement, written or verbal, or by means of any
15 false or fraudulent practice or appliance, or makes any false
16 statement in any declaration without reasonable cause to

1 believe the truth of such statement, or procures the making
2 of any such false statement as to any matter material thereto
3 without reasonable cause to believe the truth of such state-
4 ment, whether or not the United States shall or may be
5 deprived of any lawful duties; or

6 Whoever is guilty of any willful act or omission where-
7 by the United States shall or may be deprived of any lawful
8 duties accruing upon merchandise embraced or referred to
9 in such invoice, declaration, affidavit, letter, paper, or state-
10 ment, or affected by such act or omission—

11 Shall be fined for each offense not more than \$5,000 or
12 imprisoned not more than two years, or both.

13 Nothing in this section shall be construed to relieve
14 imported merchandise from forfeiture under other provisions
15 of law.

16 The term “commerce of the United States”, as used in
17 this section, shall not include commerce with the Philippine
18 Islands, Virgin Islands, American Samoa, Wake Island,
19 Midway Islands, Kingman Reef, or Guam.

20 § 543. ENTRY OF GOODS FOR LESS THAN LEGAL DUTY

21 Whoever, being an officer of the revenue, knowingly
22 admits to entry, any goods, wares, or merchandise, upon
23 payment of less than the amount of duty legally due, shall
24 be fined not more than \$5,000 or imprisoned not more than
25 two years, or both; and removed from office.

1 § 544. RELANDING OF GOODS

2 If any merchandise entered or withdrawn for exportation
3 without payment of the duties thereon, or with intent to
4 obtain a drawback of the duties paid, or of any other allow-
5 ances given by law on the exportation thereof, is relanded
6 at any place in the United States without entry having been
7 made, such merchandise shall be considered as having been
8 imported into the United States contrary to law, and each
9 person concerned shall be fined not more than \$5,000 or
10 imprisoned not more than two years, or both; and such mer-
11 chandise shall be forfeited.

12 The term "any place in the United States", as used in
13 this section, shall not include the Philippine Islands, Virgin
14 Islands, American Samoa, Wake Island, Midway Islands,
15 Kingman Reef, or Guam.

16 § 545. SMUGGLING GOODS INTO THE UNITED STATES

17 Whoever knowingly and willfully, with intent to defraud
18 the United States, smuggles, or clandestinely introduces into
19 the United States any merchandise which should have been
20 invoiced, or makes out or passes, or attempts to pass, through
21 the customhouse any false, forged, or fraudulent invoice, or
22 other document or paper; or

23 Whoever fraudulently or knowingly imports or brings
24 into the United States, any merchandise contrary to law, or
25 receives, conceals, buys, sells, or in any manner facilitates the

1 transportation, concealment, or sale of such merchandise after
2 importation, knowing the same to have been imported or
3 brought into the United States contrary to law—

4 Shall be fined not more than \$5,000 or imprisoned not
5 more than two years, or both.

6 Proof of defendant's possession of such goods, unless ex-
7 plained to the satisfaction of the jury, shall be deemed evi-
8 dence sufficient to authorize conviction for violation of this
9 section.

10 Merchandise introduced into the United States in viola-
11 tion of this section shall be forfeited to the United States.

12 The term "United States", as used in this section, shall
13 not include the Philippine Islands, Virgin Islands, American
14 Samoa, Wake Island, Midway Islands, Kingman Reef, or
15 Guam.

16 § 546. SMUGGLING GOODS INTO FOREIGN COUNTRIES

17 Any person owning in whole or in part any vessel of
18 the United States who employs, or participates in, or allows
19 the employment of, such vessel for the purpose of smuggling,
20 or attempting to smuggle, or assisting in smuggling, any
21 merchandise into the territory of any foreign government
22 in violation of the laws there in force, if under the laws of
23 such foreign government any penalty or forfeiture is provided
24 for violation of the laws of the United States respecting the
25 customs revenue, and any citizen of, or person domiciled in,

1 or any corporation incorporated in, the United States, con-
2 trolling or substantially participating in the control of any
3 such vessel, directly or indirectly, whether through owner-
4 ship of corporate shares or otherwise, and allowing the em-
5 ployment of said vessel for any such purpose, and any person
6 found, or discovered to have been, on board of any such
7 vessel so employed and participating or assisting in any
8 such purpose, shall be fined not more than \$5,000 or im-
9 prisoned not more than two years, or both.

10 It shall constitute an offense under this section to hire
11 out or charter a vessel if the lessor or charterer has knowl-
12 edge or reasonable grounds for belief that the lessee or person
13 chartering the vessel intends to employ such vessel for any
14 of the purposes described in this section and if such vessel
15 is, during the time such lease or charter is in effect, em-
16 ployed for any such purpose.

17 § 547. DEPOSITING GOODS IN BUILDINGS ON BOUNDARIES

18 Whoever receives or deposits any merchandise in any
19 building upon the boundary line between the United States
20 and any foreign country, or carries any merchandise through
21 the same, in violation of law, shall be fined not more than
22 \$5,000 or imprisoned not more than two years, or both.

23 § 548. REMOVING OR REPACKING GOODS IN WAREHOUSES

24 Whoever fraudulently conceals, removes, or repacks mer-
25 chandise in any bonded warehouse or fraudulently alters, de-

1 faces or obliterates any marks or numbers placed upon pack-
2 ages deposited in such warehouse, shall be fined not more
3 than \$5,000 or imprisoned not more than two years, or both.

4 Merchandise so concealed, removed, or repacked, or
5 packages upon which any marks or numbers have been so
6 altered, defaced, or obliterated, shall be forfeited to the
7 United States.

8 § 549. REMOVING GOODS FROM CUSTOMS CUSTODY;

9 BREAKING SEALS

10 Whoever, without authority, affixes or attaches a cus-
11 toms seal, fastening, or mark, or any seal, fastening, or mark
12 purporting to be a customs seal, fastening, or mark to any
13 vessel, vehicle, warehouse, or package; or

14 Whoever, without authority, willfully removes, breaks,
15 injures, or defaces any customs seal or other fastening or
16 mark placed upon any vessel, vehicle, warehouse, or package
17 containing merchandise or baggage in bond or in customs
18 custody; or

19 Whoever maliciously enters any bonded warehouse or
20 any vessel or vehicle laden with or containing bonded mer-
21 chandise with intent unlawfully to remove therefrom any
22 merchandise or baggage therein, or unlawfully removes any
23 merchandise or baggage in such vessel, vehicle, or bonded
24 warehouse or otherwise in customs custody or control; or

25 Whoever receives or transports any merchandise or bag-

1 gage unlawfully removed from any such vessel, vehicle, or
2 warehouse, knowing the same to have been unlawfully re-
3 moved—

4 Shall be fined not more than \$5,000 or imprisoned not
5 more than two years, or both.

6 § 550. FALSE CLAIM FOR REFUND OF DUTIES

7 Whoever knowingly and willfully files any false or fraud-
8 ulent entry or claim for the payment of drawback, allowance,
9 or refund of duties upon the exportation of merchandise, or
10 knowingly or willfully makes or files any false affidavit,
11 abstract, record, certificate, or other document, with a view
12 to securing the payment to himself or others of any drawback,
13 allowance, or refund of duties, on the exportation of mer-
14 chandise, greater than that legally due thereon, shall be
15 fined not more than \$5,000 or imprisoned not more than two
16 years, or both, and such merchandise or the value thereof
17 shall be forfeited.

18 § 551. CONCEALING OR DESTROYING INVOICES OR OTHER
19 PAPERS

20 Whoever willfully conceals or destroys any invoice, book,
21 or paper, relating to any merchandise imported into the
22 United States, after an inspection thereof has been demanded
23 by the collector of any collection district; or

24 Whoever conceals or destroys at any time any such

1 invoice, book, or paper for the purpose of suppressing any
2 evidence of fraud therein contained—

3 Shall be fined not more than \$5,000 or imprisoned not
4 more than two years, or both.

5 § 552. OFFICERS AIDING IMPORTATION OF OBSCENE OR
6 TREASONOUS BOOKS AND ARTICLES

7 Whoever, being an officer, agent, or employee of the
8 United States, knowingly aids or abets any person engaged
9 in any violation of any of the provisions of law prohibiting
10 importing, advertising, dealing in, exhibiting, or sending or
11 receiving by mail obscene or indecent publications or repre-
12 sentations, or books, pamphlets, papers, writings, advertise-
13 ments, circulars, prints, pictures, or drawings containing any
14 matter advocating or urging treason or insurrection against
15 the United States or forcible resistance to any law of the
16 United States, or containing any threat to take the life of or
17 inflict bodily harm upon any person in the United States, or
18 means for preventing conception or procuring abortion, or
19 other articles of indecent or immoral use or tendency, shall
20 be fined not more than \$5,000 or imprisoned not more than
21 ten years, or both.

CHAPTER 29.—ELECTIONS AND POLITICAL ACTIVITIES

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1 § 591. DEFINITIONS

2 When used in sections 597, 599, 602, 609 and 610 of
3 this title—

4 The term “election” includes a general or special elec-
5 tion, and, in the case of a Resident Commissioner from the
6 Philippine Islands, an election by the Philippine Legislature,
7 but does not include a primary election or convention of a
8 political party;

9 The term “candidate” means an individual whose name
10 is presented for election as Senator or Representative in, or
11 Delegate or Resident Commissioner to, the Congress of the
12 United States, whether or not such individual is elected;

13 The term “political committee” includes any committee,
14 association, or organization which accepts contributions or
15 makes expenditures for the purpose of influencing or attempt-
16 ing to influence the election of candidates or presidential and

1 vice presidential electors (1) in two or more States, or
2 (2) whether or not in more than one State if such com-
3 mittee, association, or organization (other than a duly
4 organized State or local committee of a political party) is a
5 branch or subsidiary of a national committee, association, or
6 organization;

7 The term "contribution" includes a gift, subscription,
8 loan, advance, or deposit, of money, or anything of value,
9 and includes a contract, promise, or agreement to make a
10 contribution, whether or not legally enforceable;

11 The term "expenditure" includes a payment, distribu-
12 tion, loan, advance, deposit, or gift, of money, or anything
13 of value, and includes a contract, promise, or agreement to
14 make an expenditure, whether or not legally enforceable;

15 The term "person" or the term "whoever" includes an
16 individual, partnership, committee, association, corporation,
17 and any other organization or group of persons;

18 The term "State" includes Territory and possession of
19 the United States.

20 § 592. TROOPS AT POLLS

21 Whoever, being an officer of the Army or Navy, or
22 other person in the civil, military, or naval service of the
23 United States, orders, brings, keeps, or has under his au-
24 thority or control any troops or armed men at any place
25 where a general or special election is held, unless such force

1 be necessary to repel armed enemies of the United States,
2 shall be fined not more than \$5,000 or imprisoned not more
3 than five years, or both; and be disqualified from holding any
4 office of honor, profit, or trust under the United States.

5 This section shall not prevent any officer or member of
6 the armed forces of the United States from exercising the
7 right of suffrage in any election district to which he may
8 belong, if otherwise qualified according to the laws of the
9 State in which he offers to vote.

10 § 593. INTERFERENCE BY ARMED FORCES

11 Whoever, being an officer or member of the Armed
12 Forces of the United States, prescribes or fixes or attempts
13 to prescribe or fix, whether by proclamation, order or other-
14 wise, the qualifications of voters at any election in any State;
15 or

16 Whoever, being such officer or member, prevents or
17 attempts to prevent by force, threat, intimidation, advice
18 or otherwise any qualified voter of any State from fully
19 exercising the right of suffrage at any general or special
20 election; or

21 Whoever, being such officer or member, orders or com-
22 pels or attempts to compel any election officer in any State
23 to receive a vote from a person not legally qualified to vote;
24 or

25 Whoever, being such officer or member, imposes or

1 attempts to impose any regulations for conducting any gen-
2 eral or special election in a State, different from those pre-
3 scribed by law; or

4 Whoever, being such officer or member, interferes in
5 any manner with an election officer's discharge of his
6 duties—

7 Shall be fined not more than \$5,000 or imprisoned not
8 more than five years, or both; and disqualified from holding
9 any office of honor, profit or trust under the United States.

10 This section shall not prevent any officer or member of
11 the Armed Forces from exercising the right of suffrage in any
12 district to which he may belong, if otherwise qualified
13 according to the laws of the State of such district.

14 § 594. INTIMIDATION OF VOTERS

15 Whoever intimidates, threatens, coerces, or attempts to
16 intimidate, threaten, or coerce, any other person for the pur-
17 pose of interfering with the right of such other person to vote
18 or to vote as he may choose, or of causing such other person
19 to vote for, or not to vote for, any candidate for the office of
20 President, Vice President, Presidential elector, Member of the
21 Senate, or Member of the House of Representatives, Delegates
22 or Commissioners from the Territories and Possessions, at any
23 election held solely or in part for the purpose of electing such
24 candidate, shall be fined not more than \$1,000 or imprisoned
25 not more than one year, or both.

1 § 595. INTERFERENCE BY ADMINISTRATIVE EMPLOYEES
2 OF FEDERAL, STATE, OR TERRITORIAL GOVERN-
3 MENTS

4 Whoever, being a person employed in any administra-
5 tive position by the United States, or by any department or
6 agency thereof, or by the District of Columbia or any agency
7 or instrumentality thereof, or by any State, Territory, or Pos-
8 session of the United States, or any political subdivision,
9 municipality, or agency thereof, or agency of such political
10 subdivision or municipality (including any corporation owned
11 or controlled by any State, Territory, or Possession of the
12 United States or by any such political subdivision, municipal-
13 ity, or agency), in connection with any activity which is
14 financed in whole or in part by loans or grants made by the
15 United States, or any department or agency thereof, uses his
16 official authority for the purpose of interfering with, or affect-
17 ing, the nomination or the election of any candidate for the
18 office of President, Vice President, Presidential elector,
19 Member of the Senate, Member of the House of Representa-
20 tives, or Delegate or Resident Commissioner from any Terri-
21 tory or Possession, shall be fined not more than \$1,000 or
22 imprisoned not more than one year, or both.

23 This section shall not prohibit or make unlawful any act
24 by any officer or employee of any educational or research
25 institution, establishment, agency, or system which is sup-

1 ported in whole or in part by any state or political subdi-
2 vision thereof, or by the District of Columbia or by any Ter-
3 ritory or Possession of the United States; or by any recog-
4 nized religious, philanthropic or cultural organization.

5 § 596. POLLING ARMED FORCES

6 Whoever, within or without the Armed Forces of the
7 United States, polls any member of such forces, either
8 within or without the United States, either before or after
9 he executes any ballot under any Federal or State law, with
10 reference to his choice of or his vote for any candidate, or
11 states, publishes, or releases any result of any purported
12 poll taken from or among the members of the Armed Forces
13 of the United States or including within it the statement of
14 choice for such candidate or of such votes cast by any mem-
15 ber of the Armed Forces of the United States, shall be fined
16 not more than \$1,000 or imprisoned for not more than one
17 year, or both.

18 The word "poll" means any request for information,
19 verbal or written, which by its language or form of expres-
20 sion requires or implies the necessity of an answer, where
21 the request is made with the intent of compiling the result of
22 the answers obtained, either for the personal use of the per-
23 son making the request, or for the purpose of reporting the
24 same to any other person, persons, political party, unincor-

1. porated association or corporation, or for the purpose of publishing the same orally, by radio, or in written or printed form.

3 § 597. EXPENDITURES TO INFLUENCE VOTING

4 Whoever makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate; and

7 Whoever solicits, accepts, or receives any such expenditure in consideration of his vote or the withholding of his vote—

10 Shall be fined not more than \$1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than \$10,000 or imprisoned not more than two years, or both.

14 § 598. COERCION BY MEANS OF RELIEF APPROPRIATIONS

15 Whoever uses any part of any appropriation made by Congress for work relief, relief, or for increasing employment by providing loans and grants for public-works projects, or exercises or administers any authority conferred by any Appropriation Act for the purpose of interfering with, restraining, or coercing any individual in the exercise of his right to vote at any election, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

23 § 599. PROMISE OF APPOINTMENT BY CANDIDATE

24 Whoever, being a candidate, directly or indirectly prom-

1 ises or pledges the appointment, or the use of his influence
2 or support for the appointment of any person to any public
3 or private position or employment, for the purpose of pro-
4 curing support in his candidacy shall be fined not more than
5 \$1,000 or imprisoned not more than one year, or both; and
6 if the violation was willful, shall be fined not more than
7 \$10,000 or imprisoned not more than two years, or both.

8 § 600. PROMISE OF EMPLOYMENT OR OTHER BENEFIT FOR
9 POLITICAL ACTIVITY

10 Whoever, directly or indirectly, promises any employ-
11 ment, position, work, compensation, or other benefit, provided
12 for or made possible in whole or in part by any Act
13 of Congress, to any person as consideration, favor, or reward
14 for any political activity or for the support of or opposition
15 to any candidate or any political party in any election, shall
16 be fined not more than \$1,000 or imprisoned not more than
17 one year, or both.

18 § 601. DEPRIVATION OF EMPLOYMENT OR OTHER BENEFIT
19 FOR POLITICAL ACTIVITY

20 Whoever, except as required by law, directly or in-
21 directly, deprives, attempts to deprive, or threatens to deprive
22 any person of any employment, position, work, compensa-
23 tion, or other benefit provided for or made possible by any
24 Act of Congress appropriating funds for work relief
25 or relief purposes, on account of race, creed, color, or any

1 political activity, support of, or opposition to any candidate
2 or any political party in any election, shall be fined not more
3 than \$1,000 or imprisoned not more than one year, or both.

4 § 602. SOLICITATION OF POLITICAL CONTRIBUTIONS

5 Whoever, being a Senator or Representative in, or Dele-
6 gate or Resident Commissioner to, or a candidate for Con-
7 gress, or individual elected as, Senator, Representative, Dele-
8 gate, or Resident Commissioner, or an officer or employee of
9 the United States or any department or agency thereof, or a
10 person receiving any salary or compensation for services from
11 money derived from the Treasury of the United States, di-
12 rectly or indirectly solicits, receives, or is in any manner con-
13 cerned in soliciting or receiving, any assessment, subscription,
14 or contribution for any political purpose whatever, from any
15 other such officer, employee, or person, shall be fined not
16 more than \$5,000 or imprisoned not more than three years
17 or both.

18 § 603. PLACE OF SOLICITATION

19 Whoever, in any room or building occupied in the dis-
20 charge of official duties by any person mentioned in section
21 602 of this title, or in any navy yard, fort, or arsenal, solicits
22 or receives any contribution of money or other thing of value
23 for any political purpose from any such person, shall be fined
24 not more than \$5,000 or imprisoned not more than three
25 years, or both.

1 § 604. SOLICITATION FROM PERSONS ON RELIEF

2 Whoever solicits or receives or is in any manner con-
3 cerned in soliciting or receiving any assessment, subscription,
4 or contribution for any political purpose from any person
5 known by him to be entitled to, or receiving compensation.
6 employment, or other benefit provided for or made possible
7 by any Act of Congress appropriating funds for work
8 relief or relief purposes, shall be fined not more than \$1,000
9 or imprisoned not more than one year, or both.

10 § 605. DISCLOSURE OF NAMES OF PERSONS ON RELIEF

11 Whoever, for political purposes, furnishes or discloses
12 any list or names of persons receiving compensation, employ-
13 ment or benefits provided for or made possible by any Act
14 of Congress appropriating, or authorizing the appro-
15 priation of funds for work relief or relief purposes, to a
16 political candidate, committee, campaign manager, or to any
17 person for delivery to a political candidate, committee, or
18 campaign manager; and

19 Whoever receives any such list or names for political
20 purposes—

21 Shall be fined not more than \$1,000 or imprisoned not
22 more than one year, or both.

23 § 606. INTIMIDATION TO SECURE POLITICAL CONTRIBU-
24 TIONS

25 Whoever, being one of the officers or employees of the

1 United States mentioned in section 602 of this title, dis-
2 charges, or promotes, or degrades, or in any manner changes
3 the official rank or compensation of any other officer or
4 employee, or promises or threatens so to do, for giving or
5 withholding or neglecting to make any contribution of money
6 or other valuable thing for any political purpose, shall be
7 fined not more than \$5,000 or imprisoned not more than
8 three years, or both.

9 § 607. MAKING POLITICAL CONTRIBUTIONS

10 Whoever, being an officer, clerk, or other person in the
11 service of the United States or any department or agency
12 thereof, directly or indirectly gives or hands over to any other
13 officer, clerk, or person in the service of the United States,
14 or to any Senator or Member of or Delegate to Congress, or
15 Resident Commissioner, any money or other valuable thing
16 on account of or to be applied to the promotion of any politi-
17 cal object, shall be fined not more than \$5,000 or imprisoned
18 not more than three years, or both.

19 § 608. LIMITATIONS ON POLITICAL CONTRIBUTIONS AND
20 PURCHASES

21 (a) Whoever, directly or indirectly, makes contributions
22 in an aggregate amount in excess of \$5,000 during any
23 calendar year, or in connection with any campaign for
24 nomination or election, to or on behalf of any candidate for
25 an elective Federal office, including the offices of President

1 of the United States and Presidential and Vice Presidential
2 electors, or to or on behalf of any committee or other organ-
3 ization engaged in furthering, advancing, or advocating the
4 nomination or election of any candidate for any such office or
5 the success of any national political party, shall be fined not
6 more than \$5,000 or imprisoned not more than five years, or
7 both.

8 This subsection shall not apply to contributions made to
9 or by a State or local committee or other State or local
10 organization or to similar committees or organizations in
11 the District of Columbia or in any Territory or Possession
12 of the United States.

13 (b) Whoever purchases or buys any goods, commodi-
14 ties, advertising, or articles of any kind or description, the
15 proceeds of which, or any portion thereof, directly or indi-
16 rectly inures to the benefit of or for any candidate for an
17 elective Federal office including the offices of President of
18 the United States, and Presidential and Vice Presidential
19 electors or any political committee or other political organi-
20 zation engaged in furthering, advancing, or advocating the
21 nomination or election of any candidate for any such office
22 or the success of any national political party, shall be fined
23 not more than \$5,000 or imprisoned not more than five years,
24 or both.

1 This subsection shall not interfere with the usual and
2 known business, trade, or profession of any candidate.

3 (c) In all cases of violations of this section by a partner-
4 ship, committee, association, corporation, or other organiza-
5 tion or group of persons, the officers, directors, or managing
6 heads thereof who knowingly and willfully participate in
7 such violation, shall be punished as herein provided.

8 (d) The term "contribution", as used in this section,
9 shall have the same meaning prescribed by section 591 of
10 this title.

11 § 609. MAXIMUM CONTRIBUTIONS AND EXPENDITURES

12 No political committee shall receive contributions aggre-
13 gating more than \$3,000,000, or make expenditures aggre-
14 gating more than \$3,000,000, during any calendar year.

15 For the purposes of this section, any contributions re-
16 ceived and any expenditures made on behalf of any political
17 committee with the knowledge and consent of the chairman
18 or treasurer of such committee shall be deemed to be
19 received or made by such committee.

20 Any violation of this section by any political committee
21 shall be deemed also to be a violation by the chairman and
22 the treasurer of such committee and by any other person
23 responsible for such violation and shall be punishable by a
24 fine of not more than \$1,000 or imprisonment of not more

1 than one year, or both; and, if the violation was willful, by
2 a fine of not more than \$10,000 or imprisonment of not more
3 than two years, or both.

4 § 610. CONTRIBUTIONS BY NATIONAL BANKS OR CORPO-
5 RATIONS

6 It is unlawful for any national bank, or any corpora-
7 tion organized by authority of Congress, to make a contri-
8 bution in connection with any election to any political office,
9 or for any corporation whatever to make a contribution in
10 connection with any election at which Presidential and Vice-
11 Presidential electors or a Senator or Representative in, or
12 a Delegate or Resident Commissioner to Congress are to be
13 voted for, or for any candidate, political committee, or other
14 person to accept or receive any contribution prohibited by
15 this section.

16 Every corporation which makes any contribution in vio-
17 lation of this section, shall be fined not more than \$5,000;
18 and every officer or director of any corporation who con-
19 sents to any contribution by the corporation in violation of
20 this section, shall be fined not more than \$1,000 or impris-
21 oned for not more than one year, or both.

22 § 611. CONTRIBUTIONS BY FIRMS OR INDIVIDUALS CON-
23 TRACTING WITH THE UNITED STATES

24 Whoever, entering into any contract with the United
25 States or any department or agency thereof, either for the

1 rendition of personal services or furnishing any material,
2 supplies, or equipment to the United States or any depart-
3 ment or agency thereof, or selling any land or building to
4 the United States or any department or agency thereof,
5 if payment for the performance of such contract or
6 payment for such material, supplies, equipment, land,
7 or building is to be made in whole or in part
8 from funds appropriated by the Congress, during the
9 period of negotiation for, or performance under such con-
10 tract or furnishing of material, supplies, equipment, land,
11 or buildings, directly or indirectly makes any contribution
12 of money or any other thing of value, or promises expressly
13 or impliedly to make any such contribution, to any political
14 party, committee, or candidate for public office or to any
15 person for any political purpose or use; or

16 Whoever knowingly solicits any such contribution from
17 any such person or firm, for any such purpose during any
18 such period—

19 Shall be fined not more than \$5,000 or imprisoned not
20 more than five years, or both.

21 § 612. PUBLICATION OR DISTRIBUTION OF POLITICAL
22 STATEMENTS

23 Whoever willfully publishes or distributes any card,
24 pamphlet, circular, poster, dodger, advertisement, writing,
25 or other statement relating to or concerning any person who

1 has publicly declared his intention to seek the office of
 2 President, or Vice President of the United States, or Senator
 3 or Representative in, or Delegate or Resident Commissioner
 4 to Congress, in a primary, general, or special election, or
 5 convention of a political party, or has caused or permitted
 6 his intention to do so to be publicly declared, which does
 7 not contain the names of the persons, associations, commit-
 8 tees, and corporations responsible for the publication or
 9 distribution of the same, and the names of the officers of
 10 each such association, committee, or corporation, shall be
 11 fined not more than \$1,000 or imprisoned not more than
 12 one year, or both.

CHAPTER 31.—EMBEZZLEMENT AND THEFT

Sec.

- 641. Public money, property or records.
- 642. Tools and materials for counterfeiting purposes.
- 643. Accounting generally for public money.
- 644. Banker receiving unauthorized deposit of public money.
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- 655. Theft by bank examiner.
- 656. Theft, embezzlement or misapplication by bank officer or employee.
- 657. Lending, credit and insurance institutions.
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- 660. Carrier's funds derived from commerce; State prosecutions.
- 661. Within special maritime and territorial jurisdiction.
- 662. Receiving stolen property, within special maritime and territorial jurisdiction.
- 663. Solicitation or use of gifts.

1 § 641. PUBLIC MONEY, PROPERTY OR RECORDS

2 Whoever embezzles, steals, purloins, or knowingly con-
3 verts to his use or the use of another, or without authority,
4 sells, conveys or disposes of any record, voucher, money, or
5 thing of value of the United States or of any department or
6 agency thereof, or any property made or being made under
7 contract for the United States or any department or agency
8 thereof; or

9 Whoever receives, conceals, or retains the same with in-
10 tent to convert it to his use or gain, knowing it to have been
11 embezzled, stolen, purloined or converted—

12 Shall be fined not more than \$10,000 or imprisoned not
13 more than ten years, or both; but if the value of such prop-
14 erty does not exceed the sum of \$100, he shall be fined not
15 more than \$1,000 or imprisoned not more than one year, or
16 both.

17 The word "value" means face, par, or market value, or
18 cost price, either wholesale or retail, whichever is greater.

19 § 642. TOOLS AND MATERIALS FOR COUNTERFEITING
20 PURPOSES

21 Whoever, without authority from the United States, se-
22 cretes within, or embezzles, or takes and carries away from
23 any building, room, office, apartment, vault, safe, or other

1 place where the same is kept, used, employed, placed, lodged,
2 or deposited by authority of the United States, any tool, im-
3 plement, or thing used or fitted to be used in stamping or
4 printing, or in making some other tool or implement used
5 or fitted to be used in stamping or printing any kind or de-
6 scription of bond, bill, note, certificate, coupon, postage
7 stamp, revenue stamp, fractional currency note, or other
8 paper, instrument, obligation, device, or document, author-
9 ized by law to be printed, stamped, scaled, prepared, issued,
10 uttered, or put in circulation on behalf of the United States; or

11 Whoever, without such authority, so secretes, embezzles,
12 or takes and carries away any paper, parchment, or other
13 material prepared and intended to be used in the making
14 of any such papers, instruments, obligations, devices, or
15 documents; or

16 Whoever, without such authority, so secretes, embezzles,
17 or takes and carries away any paper, parchment, or other
18 material printed or stamped, in whole or part, and intended
19 to be prepared, issued, or put in circulation on behalf of the
20 United States as one of such papers, instruments, or obliga-
21 tions, or printed or stamped, in whole or part, in the
22 similitude of any such paper, instrument, or obligation,
23 whether intended to issue or put the same in circulation or
24 not—

1 Shall be fined not more than \$5,000 or imprisoned not
2 more than ten years, or both.

3 § 643. ACCOUNTING GENERALLY FOR PUBLIC MONEY

4 Whoever, being an officer, employee or agent of the
5 United States or of any department or agency thereof, hav-
6 ing received public money which he is not authorized to
7 retain as salary, pay, or emolument, fails to render his
8 accounts for the same as provided by law is guilty of em-
9 bezzlement, and shall be fined in a sum equal to the amount
10 of the money embezzled or imprisoned not more than ten
11 years, or both; but if the amount embezzled does not exceed
12 \$100, he shall be fined not more than \$1,000 or imprisoned
13 not more than one year, or both.

14 § 644. BANKER RECEIVING UNAUTHORIZED DEPOSIT OF
15 PUBLIC MONEY

16 Whoever, not being an authorized depositary of public
17 moneys, knowingly receives from any disbursing officer, or
18 collector of internal revenue, or other agent of the United
19 States, any public money on deposit, or by way of loan
20 or accommodation, with or without interest, or otherwise
21 than in payment of a debt against the United States, or
22 uses, transfers, converts, appropriates, or applies any portion
23 of the public money for any purpose not prescribed by law
24 is guilty of embezzlement and shall be fined not more than

1 the amount so embezzled or imprisoned not more than ten
2 years, or both; but if the amount embezzled does not exceed
3 \$100, he shall be fined not more than \$1,000 or imprisoned
4 not more than one year, or both.

5 § 645. COURT OFFICERS GENERALLY

6 Whoever, being a United States marshal, clerk, receiver,
7 referee, trustee, or other officer of a United States court, or
8 any deputy, assistant, or employee of any such officer, retains
9 or converts to his own use or to the use of another or after
10 demand by the party entitled thereto, unlawfully retains any
11 money coming into his hands by virtue of his official relation,
12 position or employment, is guilty of embezzlement and shall,
13 where the offense is not otherwise punishable by enactment
14 of Congress, be fined not more than double the value of the
15 money so embezzled or imprisoned not more than ten years,
16 or both; but if the amount embezzled does not exceed \$100,
17 he shall be fined not more than \$1,000 or imprisoned not
18 more than one year, or both.

19 It shall not be a defense that the accused person had any
20 interest in such moneys or fund.

21 § 646. COURT OFFICERS DEPOSITING REGISTRY MONEYS

22 Whoever, being a clerk or other officer of a court of the
23 United States, fails to deposit promptly any money belonging
24 in the registry of the court, or paid into court or received by
25 the officers thereof, with the Treasurer or a designated depos-

1 itary of the United States, in the name and to the credit of
2 such court, or retains or converts to his own use or to the use
3 of another any such money, is guilty of embezzlement and
4 shall be fined not more than the amount embezzled, or im-
5 prisoned not more than ten years, or both; but if the amount
6 embezzled does not exceed \$100, he shall be fined not more
7 than \$1,000 or imprisoned not more than one year, or both.

8 This section shall not prevent the delivery of any such
9 money upon security, according to agreement of parties,
10 under the direction of the court.

11 § 647. RECEIVING LOAN FROM COURT OFFICER

12 Whoever knowingly receives, from a clerk or other offi-
13 cer of a court of the United States, as a deposit, loan, or
14 otherwise, any money belonging in the registry of such court,
15 is guilty of embezzlement, and shall be fined not more than
16 the amount embezzled or imprisoned not more than ten years,
17 or both; but if the amount embezzled does not exceed \$100,
18 he shall be fined not more than \$1,000 or imprisoned not
19 more than one year, or both.

20 § 648. CUSTODIANS, GENERALLY, MISUSING PUBLIC
21 FUNDS

22 Whoever, being an officer or other person charged by
23 any Act of Congress with the safe-keeping of the pub-
24 lic moneys, loans, uses, or converts to his own use, or
25 deposits in any bank or exchanges for other funds, except

1 as specially allowed by law, any portion of the public moneys
2 intrusted to him for safe-keeping, is guilty of embezzlement
3 of the money so loaned, used, converted, deposited, or ex-
4 changed, and shall be fined in a sum equal to the amount of
5 money so embezzled or imprisoned not more than ten years,
6 or both; but if the amount embezzled does not exceed \$100,
7 he shall be fined not more than \$1,000 or imprisoned not
8 more than one year, or both.

9 § 649. CUSTODIANS FAILING TO DEPOSIT MONEYS; PER-
10 SONS AFFECTED

11 (a) Whoever, having money of the United States in
12 his possession or under his control, fails to deposit it with the
13 Treasurer or some public depositary of the United States,
14 when required so to do by the Secretary of the Treasury or
15 the head of any other proper department or agency or by
16 the General Accounting Office, is guilty of embezzlement,
17 and shall be fined in a sum equal to the amount of money
18 embezzled or imprisoned not more than ten years, or both;
19 but if the amount embezzled is \$100 or less, he shall be fined
20 not more than \$1,000 or imprisoned not more than one
21 year, or both.

22 (b) This section and sections 643, 648, 650 and 653
23 of this title shall apply to all persons charged with the safe-
24 keeping, transfer, or disbursement of the public money,

1 whether such persons be charged as receivers or depositaries
2 of the same.

3 § 650. DEPOSITARIES FAILING TO SAFEGUARD DEPOSITS

4 If the Treasurer of the United States or any public de-
5 positary fails to keep safely all moneys deposited by any dis-
6 bursing officer or disbursing agent, as well as all moneys
7 deposited by any receiver, collector, or other person having
8 money of the United States, he is guilty of embezzlement,
9 and shall be fined in a sum equal to the amount of money
10 so embezzled or imprisoned not more than ten years, or both;
11 but if the amount embezzled does not exceed \$100, he shall
12 be fined not more than \$1,000 or imprisoned not more than
13 one year, or both.

14 § 651. DISBURSING OFFICER FALSELY CERTIFYING FULL
15 PAYMENT

16 Whoever, being an officer charged with the disbursement
17 of the public moneys, accepts, receives, or transmits to the
18 General Accounting Office to be allowed in his favor any re-
19 ceipt or voucher from a creditor of the United States without
20 having paid the full amount specified therein to such creditor in
21 such funds as the officer received for disbursement, or in such
22 funds as he may be authorized by law to take in exchange,
23 shall be fined in double the amount so withheld or imprisoned
24 not more than two years, or both; but if the amount with-

1 held does not exceed \$100, he shall be fined not more than
2 \$1,000 or imprisoned not more than one year, or both.

3 § 652. DISBURSING OFFICER PAYING LESSER IN LIEU OF
4 LAWFUL AMOUNT

5 Whoever, being an officer, clerk, agent, employee, or
6 other person charged with the payment of any appropriation
7 made by Congress, pays to any clerk or other employee of
8 the United States, or of any department or agency thereof,
9 a sum less than that provided by law, and requires such em-
10 ployee to receipt or give a voucher for an amount greater
11 than that actually paid to and received by him, is guilty of
12 embezzlement, and shall be fined in double the amount so
13 withheld or imprisoned not more than two years, or both;
14 but if the amount embezzled is \$100 or less, he shall be fined
15 not more than \$1,000 or imprisoned not more than one year,
16 or both.

17 § 653. DISBURSING OFFICER MISUSING PUBLIC FUNDS

18 Whoever, being a disbursing officer of the United States,
19 or any department or agency thereof, or a person acting as
20 such, in any manner converts to his own use, or loans with
21 or without interest, or deposits in any place or in any man-
22 ner, except as authorized by law, any public money intrusted
23 to him; or, for any purpose not prescribed by law, withdraws
24 from the Treasury or any authorized depository, or transfers,
25 or applies, any portion of the public money intrusted to him,

1 is guilty of embezzlement of the money so converted, loaned,
2 deposited, withdrawn, transferred, or applied, and shall be
3 fined not more than the amount embezzled or imprisoned not
4 more than ten years, or both; but if the amount embezzled
5 is \$100 or less, he shall be fined not more than \$1,000 or im-
6 prisoned not more than one year, or both.

7 § 654. OFFICER OR EMPLOYEE OF UNITED STATES CON-
8 VERTING PROPERTY OF ANOTHER

9 Whoever, being an officer or employee of the United
10 States or of any department or agency thereof, embezzles or
11 wrongfully converts to his own use the money or prop-
12 erty of another which comes into his possession or under
13 his control in the execution of such office or employment, or
14 under color or claim of authority as such officer or employee,
15 shall be fined not more than the value of the money and
16 property thus embezzled or converted, or imprisoned not
17 more than ten years, or both; but if the sum embezzled is
18 \$100 or less, he shall be fined not more than \$1,000 or
19 imprisoned not more than one year, or both.

20 § 655. THEFT BY BANK EXAMINER

21 Whoever, being a bank examiner or assistant examiner,
22 steals, or unlawfully takes, or unlawfully conceals any money,
23 note, draft, bond, or security or any other property of value
24 in the possession of any bank or banking institution which
25 is a member of the Federal Reserve System or which is

1 insured by the Federal Deposit Insurance Corporation, or
2 from any safe deposit box in or adjacent to the premises of
3 such bank, shall be fined not more than \$5,000 or imprisoned
4 not more than five years, or both; but if the amount taken
5 or concealed does not exceed \$100, he shall be fined not
6 more than \$1,000 or imprisoned not more than one year,
7 or both; and shall be disqualified from holding office as a
8 national bank examiner or Federal Deposit Insurance Cor-
9 poration examiner.

10 This section shall apply to all public examiners and
11 assistant examiners who examine member banks of the
12 Federal Reserve System or banks the deposits of which are
13 insured by the Federal Deposit Insurance Corporation,
14 whether appointed by the Comptroller of the Currency, by
15 the Board of Governors of the Federal Reserve System, by
16 a Federal Reserve Agent, by a Federal Reserve bank, or by
17 the Federal Deposit Insurance Corporation, or appointed or
18 elected under the laws of any State; but shall not apply to
19 private examiners or assistant examiners employed only by
20 a clearing-house association or by the directors of a bank.

21 § 656. THEFT, EMBEZZLEMENT, OR MISAPPLICATION BY
22 BANK OFFICER OR EMPLOYEE

23 Whoever, being an officer, director, agent or employee
24 of, or connected in any capacity with any Federal reserve
25 bank, member bank, national bank or insured bank, or a

1 receiver of a national bank, or any agent or employee of the
2 receiver, or a Federal reserve agent, or an agent or employee
3 of a Federal reserve agent or of the Board of Governors of
4 the Federal Reserve System, embezzles, abstracts, purloins
5 or willfully misapplies any of the moneys, funds or credits of
6 such bank or any moneys, funds, assets or securities intrusted
7 to the custody or care of such bank, or to the custody or care
8 of any such agent, officer, director, employee or receiver, with
9 intent to injure or defraud such bank or any other company,
10 body politic or corporate, or any individual person, or to
11 deceive any officer of such bank, or the Comptroller of the
12 Currency, or the Federal Deposit Insurance Corporation, or
13 any agent or examiner appointed to examine the affairs of
14 such bank, or the Board of Governors of the Federal Reserve
15 System, shall be fined not more than \$5,000 or imprisoned
16 not more than five years, or both; but if the amount em-
17 bezzled, abstracted, purloined or misapplied does not exceed
18 \$100, he shall be fined not more than \$1,000 or imprisoned
19 not more than one year, or both.

20 As used in this section, the term "national bank" is
21 synonymous with "national banking association"; "member
22 bank" means and includes any national bank, state bank, or
23 bank and trust company which has become a member of one
24 of the Federal Reserve Banks; and "insured bank" includes
25 any bank, banking association, trust company, savings bank,

1 or other banking institution, the deposits of which are insured
2 by the Federal Deposit Insurance Corporation.

3 § 657. LENDING, CREDIT AND INSURANCE INSTITUTIONS

4 Whoever, being an officer, agent or employee of or con-
5 nected in any capacity with the Reconstruction Finance Cor-
6 poration, Federal Deposit Insurance Corporation, Home
7 Owners' Loan Corporation, Farm Credit Administration,
8 Federal Housing Administration, Federal Farm Mortgage
9 Corporation, Federal Crop Insurance Corporation, Farmers'
10 Home Corporation or any land bank, intermediate credit
11 bank, bank for cooperatives or any lending, mortgage, insur-
12 ance, credit or savings and loan corporation or association
13 authorized or acting under the laws of the United States, and
14 whoever, being a receiver of any such institution, or agent
15 or employee of the receiver, embezzles, abstracts, purloins or
16 willfully misapplies any moneys, funds, credits, securities or
17 other things of value belonging to such institution, or pledged
18 or otherwise intrusted to its care, with intent to defraud such
19 institution or any other company, body politic or corporate,
20 or any individual, or to deceive any officer of such institution
21 or any department or agency of the United States, or any
22 auditor, examiner, agent or other person authorized to ex-
23 amine into the affairs of such institution, shall be fined not
24 more than \$5,000 or imprisoned not more than five years,
25 or both; but if the amount or value embezzled, abstracted,

1 purloined or misapplied does not exceed \$100, he shall be
2 fined not more than \$1,000 or imprisoned not more than one
3 year, or both.

4 § 658. PROPERTY MORTGAGED OR PLEDGED TO FARM
5 CREDIT AGENCIES

6 Whoever, with intent to defraud, knowingly conceals,
7 removes, disposes of, or converts, to his own use or to that
8 of another, any property mortgaged or pledged to, or held
9 by, the Farm Credit Administration, any Federal interme-
10 diate credit bank, or the Federal Farm Mortgage Corpora-
11 tion, Federal Crop Insurance Corporation, Farmers' Home
12 Corporation, or any production credit corporation or corpo-
13 ration in which a production credit corporation holds stock,
14 any regional agricultural credit corporation, or any bank for
15 cooperatives, shall be fined not more than \$5,000 or impris-
16 oned not more than five years, or both; but if the value of
17 such property does not exceed \$100, he shall be fined not
18 more than \$1,000 or imprisoned not more than one year, or
19 both.

20 § 659. INTERSTATE OR FOREIGN BAGGAGE, EXPRESS OR
21 FREIGHT; STATE PROSECUTIONS

22 Whoever embezzles, steals, or unlawfully takes, carries
23 away, or conceals, or by fraud or deception obtains from any
24 railroad car, wagon, motortruck, or other vehicle, or from
25 any station, station house, platform or depot or from any

1 steamboat, vessel, or wharf, or from any aircraft, air terminal,
2 airport, aircraft terminal or air navigation facility with
3 intent to convert to his own use any goods or chattels moving
4 as or which are a part of or which constitute an interstate
5 or foreign shipment of freight or express; or

6 Whoever buys or receives or has in his possession any
7 such goods or chattels, knowing the same to have been
8 stolen; or

9 Whoever embezzles, steals, or unlawfully takes, carries
10 away, or by fraud or deception obtains with intent to convert
11 to his own use any baggage which shall have come into the
12 possession of any common carrier for transportation in inter-
13 state or foreign commerce or breaks into, steals, takes, car-
14 ries away, or conceals any of the contents of such baggage,
15 or buys, receives, or has in his possession any such baggage
16 or any article therefrom of whatever nature, knowing the
17 same to have been embezzled or stolen; or

18 Whoever embezzles, steals, or unlawfully takes by any
19 fraudulent device, scheme, or game, from any railroad car,
20 bus, vehicle, steamboat, vessel, or aircraft operated by any
21 common carrier moving in interstate or foreign commerce or
22 from any passenger thereon any money, baggage, goods, or
23 chattels, or who buys, receives, or has in his possession any
24 such money, baggage, goods, or chattels, knowing the same
25 to have been stolen—

1 Shall in each case be fined not more than \$5,000 or
2 imprisoned not more than ten years, or both; but if the
3 amount or value of such money, baggage, goods or chattels
4 does not exceed \$100, he shall be fined not more than
5 \$1,000 or imprisoned not more than one year, or both.

6 The offense shall be deemed to have been committed not
7 only in the district where the violation first occurred, but also
8 in any district in which the defendant may have taken or
9 been in possession of the said money, baggage, goods, or
10 chattels.

11 The carrying or transporting of any such money, freight,
12 express, baggage, goods, or chattels in interstate or foreign
13 commerce, knowing the same to have been stolen, shall
14 constitute a separate offense and subject the offender to the
15 penalties under this section for unlawful taking, and the
16 offense shall be deemed to have been committed in any dis-
17 trict into which such money, freight, express, baggage, goods,
18 or chattels shall have been removed or into which the same
19 shall have been brought by such offender.

20 To establish the interstate or foreign commerce char-
21 acter of any shipment in any prosecution under this section
22 the waybill or other shipping document of such shipment
23 shall be prima facie evidence of the place from which and
24 to which such shipment was made.

25 A judgment of conviction or acquittal on the merits

1 under the laws of any State shall be a bar to any prosecution
2 under this section for the same act or acts.

3 § 660. CARRIER'S FUNDS DERIVED FROM COMMERCE;

4 STATE PROSECUTIONS

5 Whoever, being a president, director, officer, or manager
6 of any firm, association, or corporation engaged in com-
7 merce as a common carrier, or whoever, being an employee
8 of such common carrier riding in or upon any railroad car,
9 motortruck, steamboat, vessel, aircraft or other vehicle of
10 such carrier moving in interstate commerce, embezzles,
11 steals, abstracts, or wilfully misapplies, or willfully permits
12 to be misapplied, any of the moneys, funds, credits, securities,
13 property, or assets of such firm, association, or corporation
14 arising or accruing from, or used in, such commerce, in whole
15 or in part, or wilfully or knowingly converts the same to
16 his own use or to the use of another, shall be fined not
17 more than \$5,000 or imprisoned not more than ten years,
18 or both.

19 The offense shall be deemed to have been committed
20 not only in the district where the violation first occurred
21 but also in any district in which the defendant may have
22 taken or had possession of such moneys, funds, credits,
23 securities, property or assets.

24 A judgment of conviction or acquittal on the merits under

1 the laws of any State shall be a bar to any prosecution here-
2 under for the same act or acts.

3 § 661. WITHIN SPECIAL MARITIME AND TERRITORIAL
4 JURISDICTION

5 Whoever, within the special maritime and territorial
6 jurisdiction of the United States, takes and carries away, with
7 intent to steal or purloin, any personal property of another,
8 shall be punished as follows:

9 If the property taken is of a value exceeding \$100, or is
10 taken from the person of another, by a fine of not more than
11 \$5,000, or imprisonment for not more than five years, or
12 both; in all other cases, by a fine of not more than \$1,000
13 or by imprisonment not more than one year, or both.

14 If the property stolen consists of any evidence of debt, or
15 other written instrument, the amount of money due thereon, or
16 secured to be paid thereby and remaining unsatisfied, or
17 which in any contingency might be collected thereon, or the
18 value of the property the title to which is shown thereby, or
19 the sum which might be recovered in the absence thereof,
20 shall be the value of the property stolen.

21 § 662. RECEIVING STOLEN PROPERTY WITHIN SPECIAL
22 MARITIME AND TERRITORIAL JURISDICTION

23 Whoever, within the special maritime and territorial
24 jurisdiction of the United States, buys, receives, or conceals

1 any money, goods, bank notes, or other thing which may be
 2 the subject of larceny, which has been feloniously taken,
 3 stolen, or embezzled, from any other person, knowing the
 4 same to have been so taken, stolen, or embezzled, shall be
 5 fined not more than \$1,000 or imprisoned not more than
 6 three years, or both; but if the amount or value of thing so
 7 taken, stolen or embezzled does not exceed \$100, he shall
 8 be fined not more than \$1,000 or imprisoned not more than
 9 one year, or both.

10 § 663. SOLICITATION OR USE OF GIFTS

11 Whoever solicits any gift of money or other property,
 12 and represents that such gift is being solicited for the use of
 13 the United States, with the intention of embezzling, stealing,
 14 or purloining such gift, or converting the same to any other
 15 use or purpose, or whoever, having come into possession of
 16 any money or property which has been donated by the owner
 17 thereof for the use of the United States, embezzles, steals or
 18 purloins such money or property, or converts the same to
 19 any other use or purpose, shall be fined not more than \$5,000
 20 or imprisoned not more than five years, or both.

CHAPTER 33.—EMBLEMS, INSIGNIA AND NAMES

Sec.

701. Official badges, identification cards, other insignia.

702. Uniform of Army, Navy, Marine Corps, Coast Guard, and Public
 Health Service.

703. Uniform of friendly nation.

704. Military medals or decorations.

705. Badge or medal of veterans' organizations.

706. Red Cross.

707. 4-H Club emblem fraudulently used.

708. Swiss Confederation coat of arms.

709. False advertising or misuse of names to indicate Federal agency.

1 § 701. OFFICIAL BADGES, IDENTIFICATION CARDS, OTHER
2 INSIGNIA

3 Whoever manufactures, sells, or possesses any badge,
4 identification card, or other insignia, of the design prescribed
5 by the head of any department or agency of the United
6 States for use by any officer or employee thereof, or any
7 colorable imitation thereof, or photographs, prints, or in any
8 other manner makes or executes any engraving, photograph,
9 print, or impression in the likeness of any such badge,
10 identification card, or other insignia, or any colorable imita-
11 tion thereof, except as authorized under regulations made
12 pursuant to law, shall be fined not more than \$250 or im-
13 prisoned not more than six months, or both.

14 § 702. UNIFORM OF ARMY, NAVY, MARINE CORPS, COAST
15 GUARD AND PUBLIC HEALTH SERVICE

16 Whoever, without authority, wears the uniform or a dis-
17 tinctive part thereof or anything similar to a distinctive part
18 of the uniform of the Army, Navy, Marine Corps, Coast
19 Guard, Public Health Service or any auxiliary of such, shall
20 be fined not more than \$250 or imprisoned not more than
21 six months, or both.

22 § 703. UNIFORM OF FRIENDLY NATION

23 Whoever, within the jurisdiction of the United States,
24 with intent to deceive or mislead, wears any naval, military,
25 police, or other official uniform, decoration, or regalia of any

1 foreign state, nation, or government with which the United
2 States is at peace, or anything so nearly resembling the same
3 as to be calculated to deceive, shall be fined not more than
4 \$250 or imprisoned not more than six months, or both.

5 § 704. MILITARY MEDALS OR DECORATIONS

6 Whoever knowingly wears, manufactures, or sells any
7 decoration or medal authorized by Congress for the Armed
8 Forces of the United States, or any of the service medals or
9 badges awarded by the War or Navy Departments, or the
10 ribbon, button, or rosette of any such badge, decoration or
11 medal, or any colorable imitation thereof, except when
12 authorized under regulations made pursuant to law, shall be
13 fined not more than \$250 or imprisoned not more than six
14 months, or both.

15 § 705. BADGE OR MEDAL OF VETERANS' ORGANIZATIONS

16 Whoever knowingly manufactures, reproduces, sells or
17 purchases for resale, either separately or on or appended
18 to, any article of merchandise manufactured or sold, any
19 badge, medal, emblem, or other insignia or any colorable
20 imitation thereof, of any veterans' organization incorporated
21 by enactment of Congress, or knowingly prints, lithographs,
22 engraves or otherwise reproduces on any poster, circular,
23 periodical, magazine, newspaper, or other publication, or cir-
24 culates or distributes any such printed matter bearing a
25 reproduction of such badge, medal, emblem, or other insignia

1 or any colorable imitation thereof, except when authorized
2 under rules and regulations prescribed by any such organi-
3 zation, shall be fined not more than \$250 or imprisoned
4 not more than six months, or both.

5 § 706. RED CROSS

6 Whoever wears or displays the sign of the Red Cross or
7 any insignia colored in imitation thereof for the fraudulent
8 purpose of inducing the belief that he is a member of or an
9 agent for the American National Red Cross; or

10 Whoever, whether a corporation, association or person,
11 other than the American National Red Cross and its duly
12 authorized employees and agents and the Army and Navy
13 sanitary and hospital authorities of the United States, uses
14 the emblem of the Greek red cross on a white ground, or any
15 sign or insignia made or colored in imitation thereof or the
16 words "Red Cross" or "Geneva Cross" or any combination
17 of these words—

18 Shall be fined not more than \$250 or imprisoned not
19 more than six months, or both.

20 This section shall not make unlawful the use of any
21 such emblem, sign, insignia or words which was lawful on
22 the date of enactment of this title.

23 § 707. 4-H CLUB EMBLEM FRAUDULENTLY USED

24 Whoever, with intent to defraud, wears or displays the
25 sign or emblem of the 4-H clubs, consisting of a green four-

1 leaf clover with stem, and the letter H in white or gold on each
2 leaflet, or any insignia in colorable imitation thereof, for the
3 purpose of inducing the belief that he is a member of, asso-
4 ciated with, or an agent or representative for the 4-H clubs;
5 or

6 Whoever, whether an individual, partnership, corpora-
7 tion or association, other than the 4-H clubs and those duly
8 authorized by them, the representatives of the United States
9 Department of Agriculture, the land grant colleges, and per-
10 sons authorized by the Secretary of Agriculture, uses, within
11 the United States, such emblem or any sign, insignia, or
12 symbol in colorable imitation thereof, or the words "4-H
13 Club" or "4-H Clubs" or any combination of these or other
14 words or characters in colorable imitation thereof—

15 Shall be fined not more than \$250 or imprisoned not
16 more than six months, or both.

17 This section shall not make unlawful the use of any such
18 emblem, sign, insignia or words which was lawful on the
19 date of enactment of this title.

20 § 708. SWISS CONFEDERATION COAT OF ARMS

21 Whoever, whether a corporation, partnership, unin-
22 corporated company, association, or person within the
23 United States, willfully uses as a trade mark, commercial
24 label, or portion thereof, or as an advertisement or insignia
25 for any business or organization or for any trade or com-

1 mercial purpose, the coat of arms of the Swiss Confederation,
2 consisting of an upright white cross with equal arms and
3 lines on a red ground, or any simulation thereof, shall be
4 fined not more than \$250 or imprisoned not more than six
5 months, or both.

6 § 709. FALSE ADVERTISING OR MISUSE OF NAMES TO
7 INDICATE FEDERAL AGENCY

8 Whoever, except as permitted by the laws of the United
9 States, uses the words "national", "Federal", "United
10 States", "reserve", or "Deposit Insurance" as part of the busi-
11 ness or firm name of a person, corporation, partnership,
12 business trust, association or other business entity engaged
13 in the banking, loan, building and loan, brokerage, factorage,
14 insurance, indemnity, savings or trust business; or

15 Whoever falsely advertises or represents, or publishes
16 or displays any sign, symbol or advertisement reasonably
17 calculated to convey the impression that a nonmember bank,
18 banking association, firm or partnership is a member of the
19 Federal reserve system; or

20 Whoever uses the words "Federal Deposit Insurance Cor-
21 poration" or a combination of any three of these four words;
22 as the name or a part thereof under which he or it does busi-
23 ness, or advertises or otherwise represents falsely by any
24 device whatsoever that deposit liabilities are insured or guar-

1 anteed by the Federal Deposit Insurance Corporation, or by
2 the United States, or any instrumentality thereof, or falsely
3 advertises or otherwise represents the extent or manner in
4 which such deposit liabilities are insured by the Federal
5 Deposit Insurance Corporation; or

6 Whoever, not being organized under chapter 7 of Title
7 12, advertises or represents that it makes Federal Farm loans
8 or advertises or offers for sale as Federal Farm loan bonds
9 any bond not issued under chapter 7 of Title 12, or uses the
10 word "Federal" or the words "United States" or any other
11 words implying Government ownership, obligation or super-
12 vision in advertising or offering for sale any bond, note,
13 mortgage or other security not issued by the Government of
14 the United States under the provisions of said chapter 7 or
15 some other Act of Congress; or

16 Whoever uses the words "Federal Home Loan Bank"
17 or any combination or variation of these words alone or with
18 other words as a business name or part of a business name,
19 or falsely publishes, advertises or represents by any device or
20 symbol or other means reasonably calculated to convey the
21 impression that he or it is a Federal Home Loan Bank or
22 member of or subscriber for the stock of a Federal Home
23 Loan Bank; or

24 Whoever uses the words "National Agricultural Credit
25 Corporation" as part of the business or firm name of a per-

1 son, corporation, partnership, business trust, association or
2 other business entity not organized under the laws of the
3 United States as a National Agricultural Credit Corporation;
4 or

5 Whoever uses the words "Federal intermediate credit
6 bank" as part of the business or firm name for any person,
7 corporation, partnership, business trust, association or other
8 business entity not organized as an intermediate credit bank
9 under the laws of the United States; or

10 Whoever uses as a firm or business name the words
11 "Federal Housing", "National Housing" or "United States
12 Housing Authority" or any combination or variation of those
13 words alone or with other words reasonably calculated to
14 convey the false impression that such name or business has
15 some connection with, or authorization from the Federal
16 Housing Administration, the Government of the United
17 States or any agency thereof, which does not in fact exist,
18 or falsely advertises by any device whatsoever that any
19 project, business or product has been in any way indorsed,
20 authorized or approved by the Federal Housing Administra-
21 tion, the Government of the United States or any agency
22 thereof; or

23 Whoever uses as a firm or business name the words "Re-
24 construction Finance Corporation" or any combination or
25 variation of these words—

1 Shall be punished as follows: a corporation, partnership,
2 business trust, association, or other business entity, by a fine
3 of not more than \$1,000; an officer or member thereof par-
4 ticipating or knowingly acquiescing in such violation or any
5 **individual** violating this section, by a fine of not more than
6 \$1,000 or imprisonment for not more than one year, or both.

7. This section shall not make unlawful the use of any name
8 or title which was lawful on the date of enactment of this
9 title.

10 A violation of this section may be enjoined at the suit
11 of the United States Attorney, upon complaint by any duly
12 authorized representative of any department or agency of the
13 United States.

CHAPTER 35.—ESCAPE AND RESCUE

Sec.

751. Prisoners in custody of institution or officer.

752. Instigating or assisting escape.

753. Rescue to prevent execution.

754. Rescue of body of executed offender.

755. Officer permitting escape.

756. Internee of belligerent nation.

757. Prisoners of war or enemy aliens.

14 § 751. PRISONERS IN CUSTODY OF INSTITUTION OR
15 OFFICER

16 Whoever escapes or attempts to escape from the custody
17 of the Attorney General or his authorized representative, or
18 from any institution in which he is confined by direction
19 or the Attorney General, or from any custody under or by
20 virtue of any process issued under the laws of the United

1 States by any court, judge, or commissioner, or from the
2 custody of an officer or employee of the United States
3 pursuant to lawful arrest, shall, if the custody or confine-
4 ment is by virtue of an arrest on a charge of felony, or con-
5 viction of any offense, be fined not more than \$5,000 or
6 imprisoned not more than five years, or both; or if the
7 custody or confinement is for extradition or by virtue of an
8 arrest or charge of or for a misdemeanor, and prior to con-
9 viction, be fined not more than \$1,000 or imprisoned not
10 more than one year, or both.

11 § 752. INSTIGATING OR ASSISTING ESCAPE

12 Whoever rescues or attempts to rescue or instigates, aids
13 or assists the escape of any person arrested upon a warrant
14 or other process issued under any law of the United States,
15 or committed to the custody of the Attorney General or to
16 any institution by his direction, shall, if the custody or con-
17 finement is by virtue of an arrest on a charge of felony, or
18 conviction of any offense, be fined not more than \$5,000
19 or imprisoned not more than five years, or both; or, if the
20 custody or confinement is for extradition or by virtue of an
21 arrest or charge of or for a misdemeanor, and prior to convic-
22 tion, be fined not more than \$1,000 or imprisoned not more
23 than one year, or both.

24 § 753. RESCUE TO PREVENT EXECUTION

25 Whoever, by force, sets at liberty or rescues any person

1 found guilty in any court of the United States of any capital
2 crime, while going to execution or during execution, shall
3 be fined not more than \$25,000 or imprisoned not more than
4 twenty-five years, or both.

5 § 754. RESCUE OF BODY OF EXECUTED OFFENDER

6 Whoever, by force, rescues or attempts to rescue, from
7 the custody of any marshal or his officers, the dead body of
8 an executed offender, while it is being conveyed to a place of
9 dissection, as provided by section 3567 of this title, or by
10 force rescues or attempts to rescue such body from the place
11 where it has been deposited for dissection in pursuance of
12 said section 3567, shall be fined not more than \$100 or
13 imprisoned not more than one year, or both.

14 § 755. OFFICER PERMITTING ESCAPE

15 Whoever, having in his custody any prisoner by virtue
16 of process issued under the laws of the United States by any
17 court, judge, or commissioner, voluntarily suffers such
18 prisoner to escape, shall be fined not more than \$2,000 or
19 imprisoned not more than two years, or both.

20 § 756. INTERNEE OF BELLIGERENT NATION

21 Whoever, within the jurisdiction of the United States,
22 aids or entices any person belonging to the armed forces of a
23 belligerent nation or faction who is interned in the United
24 States in accordance with the law of nations, to escape or
25 attempt to escape from the jurisdiction of the United States

1 or from the limits of internment prescribed, shall be fined not
 2 more than \$1,000 or imprisoned not more than one year,
 3 or both.

4 § 757. PRISONERS OF WAR OR ENEMY ALIENS

5 Whoever procures the escape of any prisoner of war
 6 held by the United States or any of its allies, or the escape
 7 of any person apprehended or interned as an enemy alien
 8 by the United States or any of its allies, or advises, connives
 9 at, aids, or assists in such escape, or aids, relieves, transports,
 10 harbors, conceals, shelters, protects, holds correspondence
 11 with, gives intelligence to, or otherwise assists any such
 12 prisoner of war or enemy alien, after his escape from custody,
 13 knowing him to be such prisoner of war or enemy alien, or
 14 attempts to commit or conspires to commit any of the above
 15 acts, shall be fined not more than \$10,000 or imprisoned
 16 not more than ten years, or both.

17 The provisions of this section shall be in addition to and
 18 not in substitution for any other provision of law.

CHAPTER 37.—ESPIONAGE AND CENSORSHIP

Sec.

791. Scope of chapter.

792. Harboring or concealing persons.

793. Gathering, transmitting or losing defense information.

794. Gathering or delivering defense information to aid foreign govern-
 ment.

795. Photographing and sketching defense installations.

796. Use of aircraft for photographing defense installations.

797. Publication and sale of photographs of defense installations.

19 § 791. SCOPE OF CHAPTER

20 This chapter shall apply within the admiralty and mari-

1 time jurisdiction of the United States and on the high seas,
2 as well as within the United States.

3 § 792. HARBORING OR CONCEALING PERSONS

4 Whoever harbors or conceals any person who he knows,
5 or has reasonable grounds to believe or suspect, has commit-
6 ted, or is about to commit, an offense under sections 793 or
7 794 of this title, shall be fined not more than \$10,000 or
8 imprisoned not more than ten years, or both.

9 § 793. GATHERING, TRANSMITTING OR LOSING DEFENSE
10 INFORMATION

11 Whoever, for the purpose of obtaining information re-
12 specting the national defense with intent or reason to believe
13 that the information is to be used to the injury of the United
14 States, or to the advantage of any foreign nation, goes upon,
15 enters, flies over, or otherwise obtains information concerning
16 any vessel, aircraft, work of defense, navy yard, naval station,
17 submarine base, fueling station, fort, battery, torpedo station,
18 dockyard, canal, railroad, arsenal, camp, factory, mine, tele-
19 graph, telephone, wireless, or signal station, building, office,
20 or other place connected with the national defense, owned or
21 constructed, or in progress of construction by the United
22 States or under the control of the United States, or of any
23 of its officers, departments or agencies, or within the exclusive
24 jurisdiction of the United States, or any place in which any
25 vessel, aircraft, arms, munitions, or other materials or instru-

1 ments for use in time of war are being made, prepared, re-
2 paired, or stored, under any contract or agreement with the
3 United States, or any department or agency thereof, or with
4 any person on behalf of the United States, or otherwise on
5 behalf of the United States, or any other prohibited place so
6 designated by the President by proclamation in time of war
7 or in case of national emergency in which anything for the
8 use of the Army or Navy is being prepared or constructed or
9 stored, information as to which the President has determined
10 would be prejudicial to the national defense; or

11 Whoever, for the purpose aforesaid, and with like intent
12 or reason to believe, copies, takes, makes, or obtains, or at-
13 tempts, to copy, take, make, or obtain, any sketch, photo-
14 graph, photographic negative, blueprint, plan, map, model,
15 instrument, appliance, document, writing, or note of anything
16 connected with the national defense; or

17 Whoever, for the purpose aforesaid, receives or obtains
18 or agrees or attempts to receive or obtain from any person,
19 or from any source whatever, any document, writing, code
20 book, signal book, sketch, photograph, photographic nega-
21 tive, blueprint, plan, map, model, instrument, appliance, or
22 note, of anything connected with the national defense, know-
23 ing or having reason to believe, at the time he receives or ob-
24 tains, or agrees or attempts to receive or obtain it, that it has

1 been or will be obtained, taken, made or disposed of by any
2 person contrary to the provisions of this chapter; or

3 Whoever, lawfully or unlawfully having possession of,
4 access to, control over, or being intrusted with any document,
5 writing, code book, signal book, sketch, photograph, photo-
6 graphic negative, blueprint, plan, map, model, instrument,
7 appliance, or note relating to the national defense, willfully
8 communicates or transmits or attempts to communicate or
9 transmit the same to any person not entitled to receive it,
10 or willfully retains the same and fails to deliver it on demand
11 to the officer or employee of the United States entitled to
12 receive it; or

13 Whoever, being intrusted with or having lawful posses-
14 sion or control of any document, writing, code book, signal
15 book, sketch, photograph, photographic negative, blueprint,
16 plan, map, model, note, or information, relating to the na-
17 tional defense, through gross negligence permits the same to
18 be removed from its proper place of custody or delivered to
19 anyone in violation of his trust, or to be lost, stolen, ab-
20 stracted, or destroyed—

21 Shall be fined not more than \$10,000 or imprisoned not
22 more than ten years, or both.

1 § 794. GATHERING OR DELIVERING DEFENSE INFORMA-
2 TION TO AID FOREIGN GOVERNMENT

3 (a) Whoever, with intent or reason to believe that it
4 is to be used to the injury of the United States or to the ad-
5 vantage of a foreign nation, communicates, delivers, or trans-
6 mits, or attempts to communicate, deliver, or transmit, to
7 any foreign government, or to any faction or party or mili-
8 tary or naval force within a foreign country, whether recog-
9 nized or unrecognized by the United States, or to any rep-
10 resentative, officer, agent, employee, subject, or citizen there-
11 of, either directly or indirectly, any document, writing, code
12 book, signal book, sketch, photograph, photographic nega-
13 tive, blueprint, plan, map, model, note, instrument, appli-
14 ance, or information relating to the national defense, shall be
15 imprisoned not more than twenty years.

16 (b) Whoever violates subsection (a) in time of war
17 shall be punished by death or by imprisonment for not more
18 than thirty years.

19 (c) Whoever, in time of war, with intent that the same
20 shall be communicated to the enemy, collects, records, pub-
21 lishes, or communicates, or attempts to elicit any information
22 with respect to the movement, numbers, description, condi-

1 tion, or disposition of any of the armed forces, ships, aircraft,
2 or war materials of the United States, or with respect to the
3 plans or conduct, or supposed plans or conduct of any naval
4 or military operations, or with respect to any works or meas-
5 ures undertaken for or connected with, or intended for the
6 fortification or defense of any place, or any other information
7 relating to the public defense, which might be useful to the
8 enemy, shall be punished by death or by imprisonment for
9 not more than thirty years.

10 (d) If two or more persons conspire to violate this sec-
11 tion, and one or more of such persons do any act to effect
12 the object of the conspiracy, each of the parties to such con-
13 spiracy shall be subject to the punishment provided for the
14 offense which is the object of such conspiracy.

15 § 795. PHOTOGRAPHING AND SKETCHING DEFENSE IN-
16 STALLATIONS

17 (a) Whenever, in the interests of national defense, the
18 President defines certain vital military and naval installa-
19 tions or equipment as requiring protection against the gen-
20 eral dissemination of information relative thereto, it shall be
21 unlawful to make any photograph, sketch, picture, drawing,
22 map, or graphical representation of such vital military and
23 naval installations or equipment without first obtaining per-
24 mission of the commanding officer of the military or naval
25 post, camp, or station, or naval vessels, military and naval

1 aircraft, and any separate military or naval command con-
2 cerned, or higher authority, and promptly submitting the
3 product obtained to such commanding officer or higher
4 authority for censorship or such other action as he may deem
5 necessary.

6 (b) Whoever violates this section shall be fined not
7 more than \$1,000 or imprisoned not more than one year,
8 or both.

9 § 796. USE OF AIRCRAFT FOR PHOTOGRAPHING DEFENSE
10 INSTALLATIONS

11 Whoever uses or permits the use of an aircraft or any con-
12 trivance used, or designed for navigation or flight in the
13 air, for the purpose of making a photograph, sketch, pic-
14 ture, drawing, map, or graphical representation of vital
15 military or naval installations or equipment, in violation of
16 section 795 of this title, shall be fined not more than \$1,000
17 or imprisoned not more than one year, or both.

18 § 797. PUBLICATION AND SALE OF PHOTOGRAPHS OF DE-
19 FENSE INSTALLATIONS

20 On and after thirty days from the date upon which the
21 President defines any vital military or naval installation or
22 equipment as being within the category contemplated under
23 section 795 of this title, whoever reproduces, publishes, sells,
24 or gives away any photograph, sketch, picture, drawing, map,
25 or graphical representation of the vital military or naval in-

1 stallations or equipment so defined, without first obtaining
 2 permission of the commanding officer of the military or naval
 3 post, camp, or station concerned, or higher authority, unless
 4 such photograph, sketch, picture, drawing, map, or graphical
 5 representation has clearly indicated thereon that it has been
 6 censored by the proper military or naval authority, shall
 7 be fined not more than \$1,000 or imprisoned not more than
 8 one year, or both.

CHAPTER 39.—EXPLOSIVES AND COMBUSTIBLES

Sec.

831. Definitions.

832. Transportation of dynamite, powder and fuses.

833. Transportation of nitroglycerin.

834. Marking packages containing explosives.

835. Regulations by Interstate Commerce Commission.

9 § 831. DEFINITIONS

10 As used in this chapter—

11 “Detonating fuzes” means fuzes used in naval or military
 12 service to detonate the high-explosive bursting charges of
 13 projectiles, mines, bombs, or torpedoes;

14 “Fuzes” means devices used in igniting the bursting
 15 charges of projectiles;

16 “Primers” means devices used in igniting the propelling
 17 powder charges of ammunition;

18 “Fuses” means the slow-burning fuses used commercially
 19 to convey fire to an explosive combustible mass slowly or
 20 without danger to the person lighting same;

1 “Fusees” means the fusees ordinarily used on steam-
2 boats and railroads as night signals.

3 § 832. TRANSPORTATION OF DYNAMITE, POWDER AND
4 FUSES

5 Whoever knowingly transports, carries, or conveys with-
6 in the limits of the jurisdiction of the United States, any high
7 explosive, such as and including, dynamite, blasting caps,
8 detonating fuzes, black powder, gunpowder, or other like ex-
9 plosive, on any car or vehicle of any description operated in
10 the transportation of passengers by a common carrier engaged
11 in interstate or foreign commerce, which car or vehicle is
12 carrying passengers for hire, shall be fined not more than
13 \$1,000 or imprisoned not more than one year, or both; and,
14 if the death or bodily injury of any person results from a
15 violation of this section, shall be fined not more than \$10,
16 000 or imprisoned not more than ten years, or both.

17 However, under this section, it shall be lawful to trans-
18 port on any such car or vehicle, smokeless powder, primers,
19 fuses, not including detonating fuzes, fireworks, or other
20 similar explosives, and properly packed and marked samples
21 of explosives for laboratory examination, not exceeding a net
22 weight of one-half pound each, and not exceeding twenty
23 samples at one time in a single car or vehicle; but such ex-

1 explosives shall not be carried in that part of a car or vehicle
2 which is being used for the transportation of passengers for
3 hire. Also, it shall be lawful to transport on any such car
4 or vehicle small-arms ammunition in any quantity, and such
5 fusees, torpedoes, rockets, or other signal devices as may be
6 essential to promote safety in operation. This section shall
7 not prevent the transportation of military or naval forces with
8 their accompanying munitions of war on passenger-equip-
9 ment cars or vehicles.

10 § 833. TRANSPORTATION OF NITROGLYCERIN

11 Whoever knowingly transports, carries, or conveys
12 within the jurisdiction of the United States, liquid nitro-
13 glycerin, fulminate in bulk in dry condition, or other like
14 explosive, on any car or vehicle of any description operated
15 in the transportation of passengers or property by land or
16 water by a common carrier engaged in interstate or foreign
17 commerce, shall be fined not more than \$1,000 or imprisoned
18 not more than one year, or both; and, if the death or bodily
19 injury of any person results from a violation of this section,
20 shall be fined not more than \$10,000 or imprisoned not more
21 than ten years, or both.

22 § 834. MARKING PACKAGES CONTAINING EXPLOSIVES

23 Whoever knowingly delivers to any common carrier en-
24 gaged in interstate or foreign commerce by land or water,

1 or carries upon any car or vehicle operated by any common
2 carrier engaged in interstate or foreign commerce by land
3 any explosive, or other dangerous article, specified in section
4 832 of this title, under any false or deceptive marking, de-
5 scription, invoice, shipping order, or other declaration, or
6 without informing the agent of such carrier in writing of the
7 true character thereof, at or before the time such delivery or
8 carriage is made, or without plainly marking on the outside
9 of every package containing explosives or other dangerous
10 articles the contents thereof, shall be fined not more than
11 \$1,000 or imprisoned not more than one year, or both; and,
12 if the death or bodily injury of any person results from a vio-
13 lation of this section, shall be fined not more than \$10,000
14 or imprisoned not more than ten years, or both.

15 § 835. REGULATIONS BY INTERSTATE COMMERCE COM-
16 MISSION

17 The Interstate Commerce Commission shall formulate
18 regulations for the safe transportation within the limits of the
19 jurisdiction of the United States of explosives and other dan-
20 gerous articles, including flammable liquids, flammable
21 solids, oxidizing materials, corrosive liquids, compressed gases,
22 and poisonous substances, which shall be binding upon all
23 common carriers engaged in interstate or foreign commerce
24 which transport explosives or other dangerous articles by

1 land, and upon all shippers making shipments of explosives
2 or other dangerous articles via any common carrier engaged
3 in interstate or foreign commerce by land or water.

4 The commission, of its own motion, or upon application
5 made by any interested party, may make changes or modi-
6 fications in such regulations, made desirable by new informa-
7 tion or altered conditions.

8 Such regulations shall be in accord with the best-known
9 practicable means for securing safety in transit, covering the
10 packing, marking, loading, handling while in transit, and the
11 precautions necessary to determine whether the material
12 when offered is in proper condition to transport.

13 Such regulations, as well as all changes or modifications
14 thereof, shall, unless a shorter time is authorized by the com-
15 mission, take effect ninety days after their formulation and
16 publication by said commission and shall be in effect until re-
17 versed, set aside, or modified.

18 In the execution of sections 831-835 of this title the Inter-
19 state Commerce Commission may utilize the services of the
20 Bureau for the Safe Transportation of Explosives and Other
21 Dangerous Articles, and may avail itself of the advice
22 and assistance of any department, commission, or board of the
23 Government, but no official or employee of the United States
24 shall receive any additional compensation for such service ex-
25 cept as now permitted by law.

1 Whoever knowingly violates any such regulation shall
 2 be fined not more than \$1,000 or imprisoned not more than
 3 one year, or both; and, if the death or bodily injury of any
 4 person results from such violation, shall be fined not more
 5 than \$10,000 or imprisoned not more than ten years, or both.

CHAPTER 41.—EXTORTION AND THREATS

Sec.

871. Threats against President.

872. Extortion by officers or employees of the United States.

873. Blackmail.

874. Kickbacks from public works employees.

875. Interstate communications.

876. Mailing threatening communications.

877. Mailing threatening communications from foreign country.

6 § 871. THREATS AGAINST PRESIDENT

7 Whoever knowingly and willfully deposits for convey-
 8 ance in the mail or for delivery from any post office or by
 9 any letter carrier any letter, paper, writing, print, missive,
 10 or document containing any threat to take the life of or to
 11 inflict bodily harm upon the President of the United States,
 12 or knowingly and willfully otherwise makes any such threat
 13 against the President, shall be fined not more than \$1,000 or
 14 imprisoned not more than five years, or both.

15 § 872. EXTORTION BY OFFICERS OR EMPLOYEES OF THE 16 UNITED STATES

17 Whoever, being an officer, or employee of the United
 18 States or any department or agency thereof, or representing
 19 himself to be or assuming to act as such under color or pre-
 20 tense of office or employment, commits or attempts an act

1 of extortion, shall be fined not more than \$5,000 or im-
2 prisoned not more than three years, or both; but if the
3 amount so extorted or demanded does not exceed \$100, he
4 shall be fined not more than \$500 or imprisoned not more
5 than one year, or both.

6 § 873. BLACKMAIL

7 Whoever, under a threat of informing, or as a consider-
8 ation for not informing, against any violation of any law of
9 the United States, demands or receives any money or other
10 valuable thing, shall be fined not more than \$2,000 or im-
11 prisoned not more than one year, or both.

12 § 874. KICKBACKS FROM PUBLIC WORKS EMPLOYEES

13 Whoever, by force, intimidation, or threat of procuring
14 dismissal from employment, or by any other manner whatso-
15 ever induces any person employed in the construction, prose-
16 cution, completion or repair of any public building, public
17 work, or building or work financed in whole or in part by
18 loans or grants from the United States, to give up any
19 part of the compensation to which he is entitled under his
20 contract of employment, shall be fined not more than \$5,000
21 or imprisoned not more than five years, or both.

22 § 875. INTERSTATE COMMUNICATIONS

23 (a) Whoever transmits in interstate commerce any com-
24 munication containing any demand or request for a ransom
25 or reward for the release of any kidnapped person, shall be

1 fined not more than \$5,000 or imprisoned not more than
2 twenty years, or both.

3 (b) Whoever, with intent to extort from any person,
4 firm, association, or corporation, any money or other thing
5 of value, transmits in interstate commerce any communication
6 containing any threat to kidnap any person or any threat to
7 injure the person of another, shall be fined not more than
8 \$5,000 or imprisoned not more than twenty years, or both.

9 (c) Whoever transmits in interstate commerce any com-
10 munication containing any threat to kidnap any person or
11 any threat to injure the person of another, shall be fined not
12 more than \$1,000 or imprisoned not more than five years, or
13 both.

14 (d) Whoever, with intent to extort from any person,
15 firm, association, or corporation, any money or other thing
16 of value, transmits in interstate commerce any communica-
17 tion containing any threat to injure the property or reputation
18 of the addressee or of another or the reputation of a deceased
19 person or any threat to accuse the addressee or any other
20 person of a crime, shall be fined not more than \$500 or
21 imprisoned not more than two years, or both.

22 § 876. MAILING THREATENING COMMUNICATIONS

23 Whoever knowingly deposits in any post office or
24 authorized depository for mail matter, to be sent or delivered
25 by the Post Office Department or knowingly causes to be

1 delivered by the Post Office Department according to the
2 direction thereon, any communication, with or without a
3 name or designating mark subscribed thereto, addressed to
4 any other person, and containing any demand or request for
5 ransom or reward for the release of any kidnaped person,
6 shall be fined not more than \$5,000 or imprisoned not more
7 than twenty years, or both.

8 Whoever, with intent to extort from any person any
9 money or other thing of value, so deposits, or causes to be
10 delivered, as aforesaid, any communication containing any
11 threat to kidnap any person or any threat to injure the person
12 of the addressee or of another, shall be fined not more than
13 \$5,000 or imprisoned not more than twenty years, or both.

14 Whoever knowingly so deposits or causes to be de-
15 livered as aforesaid, any communication with or without a
16 name or designating mark subscribed thereto, addressed to
17 any other person and containing any threat to kidnap any
18 person or any threat to injure the person of the addressee
19 or of another, shall be fined not more than \$1,000 or im-
20 prisoned not more than five years, or both.

21 Whoever, with intent to extort from any person any
22 money or other thing of value, knowingly so deposits or
23 causes to be delivered, as aforesaid, any communication,
24 with or without a name or designating mark subscribed
25 thereto, addressed to any other person and containing any

1 threat to injure the property or reputation of the addressee
2 or of another, or the reputation of a deceased person, or
3 any threat to accuse the addressee or any other person of
4 a crime, shall be fined not more than \$500 or imprisoned not
5 more than two years, or both.

6 § 877. MAILING THREATENING COMMUNICATIONS FROM
7 FOREIGN COUNTRY

8 Whoever knowingly deposits in any post office or author-
9 ized depository for mail matter of any foreign country any
10 communication addressed to any person within the United
11 States, for the purpose of having such communication
12 delivered by the post office establishment of such foreign
13 country to the Post Office Department of the United States
14 and by it delivered to such addressee in the United States,
15 and as a result thereof such communication is delivered by the
16 post office establishment of such foreign country to the Post
17 Office Department of the United States and by it delivered to
18 the address to which it is directed in the United States, and
19 containing any demand or request for ransom or reward for
20 the release of any kidnaped person, shall be fined not more
21 than \$5,000 or imprisoned not more than twenty years, or
22 both.

23 Whoever, with intent to extort from any person any
24 money or other thing of value, so deposits as aforesaid, any
25 communication for the purpose aforesaid, containing any

1 threat to kidnap any person or any threat to injure the per-
 2 son of the addressee or of another, shall be fined not more
 3 than \$5,000 or imprisoned not more than twenty years, or
 4 both.

5 Whoever knowingly so deposits as aforesaid, any com-
 6 munication, for the purpose aforesaid, containing any threat
 7 to kidnap any person or any threat to injure the person of the
 8 addressee or of another, shall be fined not more than \$1,000
 9 or imprisoned not more than five years, or both.

10 Whoever, with intent to extort from any person any
 11 money or other thing of value, knowingly so deposits
 12 as aforesaid, any communication, for the purpose aforesaid,
 13 containing any threat to injure the property or reputation of
 14 the addressee or of another, or the reputation of a deceased
 15 person, or any threat to accuse the addressee or any other
 16 person of a crime, shall be fined not more than \$500 or im-
 17 prisoned not more than two years, or both.

CHAPTER 43.—FALSE PERSONATION

Sec.

- 911. Citizen of the United States.
- 912. Officer or employee of the United States.
- 913. Impersonator making arrest or search.
- 914. Creditors of the United States.
- 915. Foreign diplomats, consuls or officers.
- 916. 4-H Club members or agents.
- 917. Red Cross members or agents.

18 § 911. CITIZEN OF THE UNITED STATES

19 Whoever falsely and willfully represents himself to be a
 20 citizen of the United States shall be fined not more than
 21 \$1,000 or imprisoned not more than three years, or both.

1 § 912. OFFICER OR EMPLOYEE OF THE UNITED STATES

2 Whoever falsely assumes or pretends to be an officer or
3 employee acting under the authority of the United States or
4 any department, agency or officer thereof, and acts as such,
5 or in such pretended character demands or obtains any
6 money, paper, document, or thing of value, shall be fined
7 not more than \$1,000 or imprisoned not more than three
8 years, or both.

9 § 913. IMPERSONATOR MAKING ARREST OR SEARCH

10 Whoever falsely represents himself to be an officer, agent,
11 or employee of the United States, and in such assumed char-
12 acter arrests or detains any person or in any manner searches
13 the person, buildings, or other property of any person, shall
14 be fined not more than \$1,000 or imprisoned not more than
15 three years, or both.

16 § 914. CREDITORS OF THE UNITED STATES

17 Whoever falsely personates any true and lawful holder
18 of any share or sum in the public stocks or debt of the United
19 States, or any person entitled to any annuity, dividend, pen-
20 sion, wages, or other debt due from the United States, and,
21 under color of such false personation, transfers or endeavors
22 to transfer such public stock or any part thereof, or receives
23 or endeavors to receive the money of such true and lawful
24 holder thereof, or the money of any person really entitled to
25 receive such annuity, dividend, pension, wages, or other debt,

1 shall be fined not more than \$5,000 or imprisoned not more
2 than five years, or both.

3 § 915. FOREIGN DIPLOMATS, CONSULS OR OFFICERS

4 Whoever, with intent to defraud within the United
5 States, falsely assumes or pretends to be a diplomatic, con-
6 sular or other official of a foreign government duly accredited
7 as such to the United States and acts as such, or in such pre-
8 tended character, demands or obtains or attempts to obtain
9 any money, paper, document, or other thing of value, shall
10 be fined not more than \$5,000 or imprisoned not more than
11 ten years, or both.

12 § 916. 4-H CLUB MEMBERS OR AGENTS

13 Whoever, falsely and with intent to defraud, holds him-
14 self out as or represents or pretends himself to be a member
15 of, associated with, or an agent or representative for the 4-H
16 clubs, an organization established by the Extension Service
17 of the United States Department of Agriculture and the land
18 grant colleges, shall be fined not more than \$300 or impris-
19 oned not more than six months, or both.

20 § 917. RED CROSS MEMBERS OR AGENTS

21 Whoever, within the United States, falsely or fraudu-
22 lently holds himself out as or represents or pretends himself
23 to be a member of or an agent for the American National
24 Red Cross for the purpose of soliciting, collecting, or receiv-

- 1 ing. money or material, shall be fined not more than \$500
 2 or imprisoned not more than one year, or both.

CHAPTER 45.—FOREIGN RELATIONS

Sec.

951. Agents of foreign governments.
 952. Diplomatic codes and correspondence.
 953. Private correspondence with foreign governments.
 954. False statements influencing foreign government.
 955. Financial transactions with foreign governments.
 956. Conspiracy to injure property of foreign government.
 957. Possession of property in aid of foreign government.
 958. Commission to serve against friendly nation.
 959. Enlistment in foreign service.
 960. Expedition against friendly nation.
 961. Strengthening armed vessel of foreign nation.
 962. Arming vessel against friendly nation.
 963. Detention of armed vessel.
 964. Delivering armed vessel to belligerent nation.
 965. Verified statements as prerequisite to vessel's departure.
 966. Departure of vessel forbidden for false statements.
 967. Departure of vessel forbidden in aid of neutrality.
 968. Exportation of war materials to certain countries.
 969. Exportation of arms, liquors and narcotics to Pacific Islands.

3 § 951. AGENTS OF FOREIGN GOVERNMENTS

4 Whoever, other than a diplomatic or consular officer or
 5 attaché, acts in the United States as an agent of a foreign
 6 government without prior notification to the Secretary of
 7 State, shall be fined not more than \$5,000 or imprisoned not
 8 more than ten years, or both.

9 § 952. DIPLOMATIC CODES AND CORRESPONDENCE

10 Whoever, by virtue of his employment by the United
 11 States, obtains from another or has or has had custody of or
 12 access to, any official diplomatic code or any matter prepared
 13 in any such code, or which purports to have been prepared
 14 in any such code, and without authorization or competent
 15 authority, willfully publishes or furnishes to another any such

1 code or matter, or any matter which was obtained while in
2 the process of transmission between any foreign government
3 and its diplomatic mission in the United States, shall be fined
4 not more than \$10,000 or imprisoned not more than ten
5 years, or both.

6 § 953. PRIVATE CORRESPONDENCE WITH FOREIGN GOV-
7 ERNMENTS

8 Any citizen of the United States, wherever he may be,
9 who, without authority of the United States, directly or
10 indirectly commences or carries on any correspondence or
11 intercourse with any foreign government or any officer or
12 agent thereof, with intent to influence the measures or con-
13 duct of any foreign government or of any officer or agent
14 thereof, in relation to any disputes or controversies with the
15 United States, or to defeat the measures of the United
16 States, shall be fined not more than \$5,000 or imprisoned not
17 more than three years, or both.

18 This section shall not abridge the right of a citizen to
19 apply, himself or his agent, to any foreign government or
20 the agents thereof for redress of any injury which he may
21 have sustained from such government or any of its agents or
22 subjects.

1 § 954. FALSE STATEMENTS INFLUENCING FOREIGN
2 GOVERNMENT

3 Whoever, in relation to any dispute or controversy be-
4 tween a foreign government and the United States, willfully
5 and knowingly makes any untrue statement, either orally or
6 in writing, under oath before any person authorized and
7 empowered to administer oaths, which the affiant has knowl-
8 edge or reason to believe will, or may be used to influence
9 the measures or conduct of any foreign government, or of
10 any officer or agent of any foreign government, to the injury
11 of the United States, or with a view or intent to influence
12 any measure of or action by the United States or any depart-
13 ment or agency thereof, to the injury of the United States,
14 shall be fined not more than \$5,000 or imprisoned not more
15 than ten years, or both.

16 § 955. FINANCIAL TRANSACTIONS WITH FOREIGN GOV-
17 ERNMENTS

18 Whoever, within the United States, purchases or sells
19 the bonds, securities, or other obligations of any foreign gov-
20 ernment or political subdivision thereof or any organization
21 or association acting for or on behalf of a foreign govern-
22 ment or political subdivision thereof, issued after April 13,

1 1934, or makes any loan to such foreign government, political
2 subdivision, organization or association, except a renewal or
3 adjustment of existing indebtedness, while such government,
4 political subdivision, organization or association, is in de-
5 fault in the payment of its obligations, or any part thereof,
6 to the United States, shall be fined not more than \$10,000
7 or imprisoned for not more than five years, or both.

8 This section is applicable to individuals, partnerships, cor-
9 porations, or associations other than public corporations
10 created by or pursuant to special authorizations of Congress,
11 or corporations in which the United States has or exercises
12 a controlling interest through stock ownership or otherwise.

13 § 956. CONSPIRACY TO INJURE PROPERTY OF FOREIGN
14 GOVERNMENT

15 (a) If two or more persons within the jurisdiction of
16 the United States conspire to injure or destroy specific prop-
17 erty situated within a foreign country and belonging to a
18 foreign government or to any political subdivision thereof
19 with which the United States is at peace, or any railroad,
20 canal, bridge, or other public utility so situated, and if one
21 or more such persons commits an act within the jurisdiction
22 of the United States to effect the object of the conspiracy,
23 each of the parties to the conspiracy shall be fined not more
24 than \$5,000 or imprisoned not more than three years, or
25 both.

1 (b) Any indictment or information under this section
2 shall describe the specific property which it was the object
3 of the conspiracy to injure or destroy.

4 § 957. POSSESSION OF PROPERTY IN AID OF FOREIGN
5 GOVERNMENT

6 Whoever, in aid of any foreign government, knowingly
7 and willfully possesses or controls any property or papers
8 used or designed or intended for use in violating any penal
9 statute, or any of the rights or obligations of the United
10 States under any treaty or the law of nations, shall be fined
11 not more than \$1,000 or imprisoned not more than ten
12 years, or both.

13 § 958. COMMISSION TO SERVE AGAINST FRIENDLY NATION

14 Any citizen of the United States who, within the juris-
15 diction thereof, accepts and exercises a commission to serve
16 a foreign prince, state, colony, district, or people, in war,
17 against any prince, state, colony, district, or people, with
18 whom the United States is at peace, shall be fined not more
19 than \$2,000 or imprisoned not more than three years, or
20 both.

21 § 959. ENLISTMENT IN FOREIGN SERVICE

22 (a) Whoever, within the United States, enlists or enters
23 himself, or hires or retains another to enlist or enter himself,
24 or to go beyond the jurisdiction of the United States with
25 intent to be enlisted or entered in the service of any foreign

1 prince, state, colony, district, or people as a soldier or as a
2 marine or seaman on board any vessel of war, letter of
3 marque, or privateer, shall be fined not more than \$1,000
4 or imprisoned not more than three years, or both.

5 (b) This section shall not apply to citizens or subjects
6 of any country engaged in war with a country with which
7 the United States is at war, unless such citizen or subject
8 of such foreign country shall hire or solicit a citizen of the
9 United States to enlist or go beyond the jurisdiction of the
10 United States with intent to enlist or enter the service of a
11 foreign country. Enlistments under this subsection shall be
12 under regulations prescribed by the Secretary of War.

13 (c) This section and sections 960 and 961 of this title
14 shall not apply to any subject or citizen of any foreign prince,
15 state, colony, district, or people who is transiently within
16 the United States and enlists or enters himself on board any
17 vessel of war, letter of marque, or privateer, which at the
18 time of its arrival within the United States was fitted and
19 equipped as such, or hires or retains another subject or citi-
20 zen of the same foreign prince, state, colony, district, or
21 people who is transiently within the United States to enlist
22 or enter himself to serve such foreign prince, state, colony,
23 district, or people on board such vessel of war, letter of
24 marque, or privateer, if the United States shall then be at

1 peace with such foreign prince, state, colony, district, or
2 people.

3 § 960. EXPEDITION AGAINST FRIENDLY NATION

4 Whoever, within the United States, knowingly begins
5 or sets on foot or provides or prepares a means for or
6 furnishes the money for, or takes part in, any military or
7 naval expedition or enterprise to be carried on from thence
8 against the territory or dominion of any foreign prince or
9 state, or of any colony, district, or people with whom the
10 United States is at peace, shall be fined not more than \$3,000
11 or imprisoned not more than three years, or both.

12 § 961. STRENGTHENING ARMED VESSEL OF FOREIGN
13 NATION

14 Whoever, within the United States, increases or aug-
15 ments the force of any ship of war, cruiser, or other armed
16 vessel which, at the time of her arrival within the United
17 States, was a ship of war, or cruiser, or armed vessel, in the
18 service of any foreign prince or state, or of any colony, dis-
19 trict, or people, or belonging to the subjects or citizens of
20 any such prince or state, colony, district, or people, the same
21 being at war with any foreign prince or state, or of any
22 colony, district, or people, with whom the United States is
23 at peace, by adding to the number of the guns of such vessel,
24 or by changing those on board of her for guns of a larger

1 caliber, or by adding thereto any equipment solely applicable
2 to war, shall be fined not more than \$1,000 or imprisoned
3 not more than one year, or both.

4 § 962. ARMING VESSEL AGAINST FRIENDLY NATION

5 Whoever, within the United States, furnishes, fits out,
6 arms, or attempts to furnish, fit out or arm, any vessel, with
7 intent that such vessel shall be employed in the service of
8 any foreign prince, or state, or of any colony, district, or
9 people, to cruise, or commit hostilities against the subjects,
10 citizens, or property of any foreign prince or state, or of any
11 colony, district, or people with whom the United States is
12 at peace; or

13 Whoever issues or delivers a commission within the
14 United States for any vessel, to the intent that she may be
15 so employed—

16 Shall be fined not more than \$10,000 or imprisoned not
17 more than three years, or both.

18 Every such vessel, her tackle, apparel, and furniture,
19 together with all materials, arms, ammunition, and stores
20 which may have been procured for the building and equip-
21 ment thereof, shall be forfeited, one half to the use of the
22 informer and the other half to the use of the United States.

23 § 963. DETENTION OF ARMED VESSEL

24 (a) During a war in which the United States is a
25 neutral nation, the President, or any person authorized by

1 him, may detain any armed vessel owned wholly or in part
2 by citizens of the United States, or any vessel, domestic or
3 foreign (other than one which has entered the ports of the
4 United States as a public vessel), which is manifestly built
5 for warlike purposes or has been converted or adapted from a
6 private vessel to one suitable for warlike use, until the owner
7 or master, or person having charge of such vessel, shall
8 furnish proof satisfactory to the President, or to the person
9 duly authorized by him, that the vessel will not be employed
10 to cruise against or commit or attempt to commit hostilities
11 upon the subjects, citizens, or property of any foreign prince
12 or state, or of any colony, district, or people with which the
13 United States is at peace, and that the said vessel will not be
14 sold or delivered to any belligerent nation, or to an agent,
15 officer, or citizen of such nation, by them or any of them,
16 within the jurisdiction of the United States, or upon the high
17 seas.

18 (b) Whoever, in violation of this section takes, or at-
19 tempts to take, or authorizes the taking of any such vessel,
20 out of port or from the United States, shall be fined not more
21 than \$10,000 or imprisoned not more than ten years, or both.

22 In addition, such vessel, her tackle, apparel, furniture,
23 equipment, and her cargo shall be forfeited to the United
24 States.

1 § 964. DELIVERING ARMED VESSEL TO BELLIGERENT
2 NATION

3 (a) During a war in which the United States is a
4 neutral nation, it shall be unlawful to send out of the United
5 States any vessel built, armed, or equipped as a vessel of
6 war, or converted from a private vessel into a vessel of war,
7 with any intent or under any agreement or contract that such
8 vessel will be delivered to a belligerent nation, or to an agent,
9 officer, or citizen of such nation, or with reasonable cause
10 to believe that the said vessel will be employed in the service
11 of any such belligerent nation after its departure from the
12 jurisdiction of the United States.

13 (b) Whoever, in violation of this section, takes or
14 attempts to take, or authorizes the taking of any such vessel,
15 out of port or from the United States, shall be fined not more
16 than \$10,000 or imprisoned not more than ten years, or both.

17 In addition, such vessel, her tackle, apparel, furniture,
18 equipment, and her cargo shall be forfeited to the United
19 States.

20 § 965. VERIFIED STATEMENTS AS PREREQUISITE TO VES-
21 SEL'S DEPARTURE

22 (a) During a war in which the United States is a neu-
23 tral nation, every master or person having charge or com-
24 mand of any vessel, domestic or foreign, whether requiring
25 clearance or not, before departure of such vessel from port

1 shall, in addition to the facts required by sections 91, 92, and
2 94 of Title 46 to be set out in the masters' and shippers
3 manifests before clearance will be issued to vessels bound to
4 foreign ports, deliver to the collector of customs for the district
5 wherein such vessel is then located a statement, duly verified
6 by oath, that the cargo or any part of the cargo is or is not
7 to be delivered to other vessels in port or to be transshipped
8 on the high seas, and, if it is to be so delivered or trans-
9 shipped, stating the kind and quantities and the value of the
10 total quantity of each kind of article so to be delivered or
11 transshipped, and the name of the person, corporation, vessel,
12 or government to whom the delivery or transshipment is to be
13 made; and the owners, shippers, or consignors of the cargo
14 of such vessel shall in the same manner and under the same
15 conditions deliver to the collector like statements under oath
16 as to the cargo or the parts thereof laden or shipped by them,
17 respectively.

18 (b) Whoever, in violation of this section, takes or at-
19 tempts to take, or authorizes the taking of any such vessel,
20 out of port or from the United States, shall be fined not more
21 than \$10,000 or imprisoned not more than ten years, or both.

22 In addition, such vessel, her tackle, apparel, furniture,
23 equipment, and her cargo shall be forfeited to the United
24 States.

25 The Secretary of the Treasury is authorized to pro-

1 mulgate regulations upon compliance with which vessels
2 engaged in the coastwise trade or fisheries or used solely
3 for pleasure may be relieved from complying with this
4 section.

5 § 966. DEPARTURE OF VESSEL FORBIDDEN FOR FALSE
6 STATEMENTS

7 (a) Whenever it appears that the vessel is not en-
8 titled to clearance or whenever there is reasonable cause to
9 believe that the additional statements under oath required
10 in section 965 of this title are false, the collector of customs
11 for the district in which the vessel is located may, subject
12 to review by the head of the department or agency charged
13 with the administration of laws relating to clearance of
14 vessels, refuse clearance to any vessel, domestic or foreign,
15 and by formal notice served upon the owners, master, or
16 person or persons in command or charge of any domestic
17 vessel for which clearance is not required by law, forbid the
18 departure of the vessel from the port or from the United
19 States. It shall thereupon be unlawful for the vessel to
20 depart.

21 (b) Whoever, in violation of this section, takes or
22 attempts to take, or authorizes the taking of any such
23 vessel, out of port or from the United States, shall be
24 fined not more than \$10,000 or imprisoned not more than
25 ten years, or both.

1 In addition, such vessel, her tackle, apparel, furniture,
2 equipment, and her cargo shall be forfeited to the United
3 States.

4 § 967. DEPARTURE OF VESSEL FORBIDDEN IN AID OF
5 NEUTRALITY

6 (a) During a war in which the United States is a
7 neutral nation, the President, or any person authorized by
8 him, may withhold clearance from or to any vessel, do-
9 mestic or foreign, or, by service of formal notice upon the
10 owner, master, or person in command or in charge of any
11 domestic vessel not required to secure clearances may forbid
12 its departure from port or from the United States, whenever
13 there is reasonable cause to believe that such vessel is about
14 to carry fuel, arms, ammunition, men, supplies, dispatches,
15 or information to any warship, tender, or supply ship of a
16 foreign belligerent nation in violation of the laws, treaties,
17 or obligations of the United States under the law of nations.
18 It shall thereupon be unlawful for such vessel to depart.

19 (b) Whoever, in violation of this section, takes or
20 attempts to take, or authorizes the taking of any such vessel,
21 out of port or from the United States, shall be fined not
22 more than \$10,000 or imprisoned not more than ten years,
23 or both. In addition, such vessel, her tackle, apparel, fur-
24 niture, equipment, and her cargo shall be forfeited to the
25 United States.

1 § 968. EXPORTATION OF WAR MATERIALS TO CERTAIN
2 COUNTRIES

3 Whenever the President finds that in any American
4 country, or in any country in which the United States exer-
5 cises extraterritorial jurisdiction, conditions of domestic vio-
6 lence exist, which are or may be promoted by the use of
7 arms or munitions of war procured from the United States,
8 and makes proclamation thereof, it shall be unlawful to
9 export, except under such limitations and exceptions as the
10 President prescribes, any arms or munitions of war from any
11 place in the United States to such country until otherwise
12 ordered by the President or by Congress.

13 Whoever violates this section shall be fined not more
14 than \$10,000 or imprisoned not more than two years, or
15 both.

16 § 969. EXPORTATION OF ARMS, LIQUORS AND NARCOTICS
17 TO PACIFIC ISLANDS

18 (a) Whoever, being subject to the authority of the
19 United States, gives, sells, or otherwise supplies any arms,
20 ammunition, explosive substance, intoxicating liquor, or
21 opium to any aboriginal native of any of the Pacific Islands
22 lying within the twentieth parallel of north latitude and the
23 fortieth parallel of south latitude, and the one hundred and
24 twentieth meridian of longitude west and one hundred and
25 twentieth meridian of longitude east of Greenwich, not being

1 in the possession or under the protection of any civilized
 2 power, shall be fined not more than \$50 or imprisoned not
 3 more than three months, or both.

4 In addition to such punishment, all articles of a similar
 5 nature to those in respect to which an offense has been com-
 6 mitted, found in the possession of the offender, may be de-
 7 clared forfeited.

8 If it appears to the court that such opium, wine, or
 9 spirits have been given bona fide for medical purposes, it
 10 shall be lawful for the court to dismiss the charge.

11 (b) All offenses against this section, committed on any
 12 of said islands or on the waters, rocks, or keys adjacent
 13 thereto, shall be deemed committed on the high seas on board
 14 a merchant ship or vessel belonging to the United States.

CHAPTER 47.—FRAUD AND FALSE STATEMENTS

Sec.

- 1001. Statements or entries generally.
- 1002. Possession of false papers to defraud United States.
- 1003. Demands against the United States.
- 1004. Certification of checks.
- 1005. Bank entries, reports and transactions.
- 1006. Federal credit institution entries, reports and transactions.
- 1007. Federal Deposit Insurance Corporation transactions.
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- 1009. Rumors regarding Federal Savings and Loan Insurance Corpora-
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- 1010. Federal Housing Administration transactions.
- 1011. Federal land bank mortgage transactions.
- 1012. United States Housing Authority transactions.
- 1013. Farm loan bonds and credit bank debentures.
- 1014. Loan and credit applications generally; renewals and discounts;
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- 1015. Naturalization, citizenship or alien registry.
- 1016. Acknowledgement of appearance or oath.
- 1017. Government seals wrongfully used and instruments wrongfully
 sealed.
- 1018. Official certificates or writings.

Sec.

1019. Certificates by consular officers.

1020. Highway projects.

1021. Title records.

1022. Delivery of certificate, voucher, receipt for military or naval property.

1023. Insufficient delivery of money or property for military or naval service.

1024. Purchase or receipt of military, naval, or veterans' facilities property.

1025. False pretenses on high seas and other waters.

1026. Compromise, adjustment, or cancellation of farm indebtedness.

1 § 1001. STATEMENTS OR ENTRIES GENERALLY

2 Whoever, in any matter within the jurisdiction of any
3 department or agency of the United States knowingly and
4 willfully falsifies, conceals or covers up by any trick, scheme,
5 or device a material fact, or makes any false, fictitious or
6 fraudulent statements or representations, or makes or uses
7 any false writing or document knowing the same to contain
8 any false, fictitious or fraudulent statement or entry, shall be
9 fined not more than \$10,000 or imprisoned not more than
10 five years, or both.

11 § 1002. POSSESSION OF FALSE PAPERS TO DEFRAUD
12 UNITED STATES

13 Whoever, knowingly and with intent to defraud the
14 United States, or any agency thereof, possesses any false,
15 altered, forged, or counterfeited writing or document for the
16 purpose of enabling another to obtain from the United States,
17 or from any agency, officer or agent thereof, any sum of
18 money, shall be fined not more than \$10,000 or imprisoned
19 not more than five years, or both.

1 § 1003. DEMANDS AGAINST THE UNITED STATES

2 Whoever knowingly and fraudulently demands or en-
3 deavors to obtain any share or sum in the public stocks of the
4 United States, or to have any part thereof transferred, as-
5 signed, sold, or conveyed, or to have any annuity, dividend,
6 pension, wages, gratuity, or other debt due from the United
7 States, or any part thereof, received, or paid by virtue of any
8 false, forged, or counterfeited power of attorney, authority,
9 or instrument, shall be fined not more than \$10,000 or
10 imprisoned not more than five years, or both; but if the
11 sum or value so obtained or attempted to be obtained does
12 not exceed \$100, he shall be fined not more than \$1,000
13 or imprisoned not more than one year, or both.

14 § 1004. CERTIFICATION OF CHECKS

15 Whoever, being an officer, director, agent, or employee
16 of any Federal reserve bank or member bank of the Federal
17 Reserve System, certifies a check before the amount thereof
18 has been regularly deposited in the bank by the drawer
19 thereof, or resorts to any device, or receives any fictitious
20 obligation, directly or collaterally, in order to evade any of
21 the provisions of law relating to certification of checks, shall
22 be fined not more than \$5,000 or imprisoned not more than
23 five years, or both.

24 § 1005. BANK ENTRIES, REPORTS AND TRANSACTIONS

25 Whoever, being an officer, director, agent or employee

1 of any Federal reserve bank, member bank, national bank
2 or insured bank, without authority from the directors of such
3 bank, issues or puts in circulation any notes of such bank; or

4 Whoever, without such authority, makes, draws, issues,
5 puts forth, or assigns any certificate of deposit, draft, order,
6 bill of exchange, acceptance, note, debenture, bond, or other
7 obligation, or mortgage, judgment or decree; or

8 Whoever makes any false entry in any book, report, or
9 statement of such bank with intent to injure or defraud such
10 bank, or any other company, body politic or corporate, or
11 any individual person, or to deceive any officer of such bank,
12 or the Comptroller of the Currency, or the Federal Deposit
13 Insurance Corporation, or any agent or examiner appointed
14 to examine the affairs of such bank, or the Board of Gov-
15 ernors of the Federal Reserve System—

16 Shall be fined not more than \$5,000 or imprisoned not
17 more than five years, or both.

18 As used in this section, the term “national bank” is syn-
19 onymous with “national banking association”; “member
20 bank” means and includes any national bank, state bank, or
21 bank or trust company, which has become a member of one of
22 the Federal reserve banks; and “insured bank” includes any
23 state bank, banking association, trust company, savings bank,
24 or other banking institution, the deposits of which are in-
25 sured by the Federal Deposit Insurance Corporation.

1 § 1006. FEDERAL CREDIT INSTITUTION ENTRIES, REPORTS
2 AND TRANSACTIONS

3 Whoever, being an officer, agent or employee of or
4 connected in any capacity with the Reconstruction Finance
5 Corporation, Federal Deposit Insurance Corporation, Home
6 Owners' Loan Corporation, Farm Credit Administration,
7 Federal Housing Administration, Federal Farm Mortgage
8 Corporation, Federal Crop Insurance Corporation, Farmers'
9 Home Corporation, or any land bank, intermediate credit
10 bank, bank for cooperatives or any lending, mortgage, in-
11 surance, credit or savings and loan corporation or association
12 authorized or acting under the laws of the United States,
13 with intent to defraud any such institution or any other com-
14 pany, body politic or corporate, or any individual, or to
15 deceive any officer, auditor, examiner or agent of any such
16 institution or of department or agency of the United
17 States, makes any false entry in any book, report or state-
18 ment of or to any such institution, or without being duly
19 authorized, draws any order or bill of exchange, makes any
20 acceptance, or issues, puts forth or assigns any note, debenture,
21 bond or other obligation, or draft, bill of exchange,
22 mortgage, judgment, or decree, or, with intent to defraud
23 the United States or any agency thereof, or any corpora-
24 tion, institution, or association referred to in this section,
25 participates or shares in or receives directly or indirectly any

1 money, profit, property, or benefits through any transaction,
2 loan, commission, contract, or any other act of any such
3 corporation, institution, or association, shall be fined not more
4 than \$10,000 or imprisoned not more than five years, or
5 both.

6 § 1007. FEDERAL DEPOSIT INSURANCE CORPORATION
7 TRANSACTIONS

8 Whoever, for the purpose of obtaining any loan from
9 the Federal Deposit Insurance Corporation, or any exten-
10 sion or renewal thereof, or the acceptance, release, or
11 substitution of security therefor, or for the purpose of induc-
12 ing the Federal Deposit Insurance Corporation to purchase
13 any assets, or for the purpose of obtaining the payment of
14 any insured deposit or transferred deposit or the allowance,
15 approval, or payment of any claim, or for the purpose of
16 influencing in any way the action of the Federal Deposit
17 Insurance Corporation, makes any statement, knowing it
18 to be false, or willfully overvalues any security, shall be
19 fined not more than \$5,000 or imprisoned not more than
20 two years, or both.

21 § 1008. FEDERAL SAVINGS AND LOAN INSURANCE COR-
22 PORATION TRANSACTIONS

23 Whoever, for the purpose of inducing the insurance of
24 the accounts of any institution by the Federal Savings and

1 Loan Insurance Corporation or for the purpose of obtaining
2 any extension or renewal of such insurance by such Corpo-
3 ration or for the purpose of influencing in any way the action
4 of such Corporation, makes, passes, utters, or publishes any
5 statement, knowing the same to be false; or

6 Whoever, for the purpose of influencing in any way
7 the action of such Corporation, utters, forges, or counterfeits
8 any instrument, paper, or document, or utters, publishes, or
9 passes as true any instrument, paper, or document, knowing
10 it to have been uttered, forged, or counterfeited, or willfully
11 overvalues any security, asset, or income, of any institution
12 insured or applying for insurance by said Corporation—

13 Shall be fined not more than \$5,000 or imprisoned not
14 more than two years, or both.

15 § 1009. RUMORS REGARDING FEDERAL SAVINGS AND
16 LOAN INSURANCE CORPORATION

17 Whoever willfully and knowingly makes, circulates, or
18 transmits to another or others any statement or rumor, writ-
19 ten, printed or by word of mouth, which is untrue in fact and
20 is directly or by inference derogatory to the financial condi-
21 tion or affects the solvency or financial standing of the Federal
22 Savings and Loan Insurance Corporation, shall be fined not
23 more than \$1,000 or imprisoned not more than one year, or
24 both.

1 § 1010. FEDERAL HOUSING ADMINISTRATION TRANS-
2 ACTIONS

3 Whoever, for the purpose of obtaining any loan or ad-
4 vance of credit from any person, partnership, association, or
5 corporation with the intent that such loan or advance of
6 credit shall be offered to or accepted by the Federal Housing
7 Administration for insurance, or for the purpose of obtaining
8 any extension or renewal of any loan, advance of credit, or
9 mortgage insured by such Administration, or the acceptance,
10 release, or substitution of any security on such a loan, advance
11 of credit, or for the purpose of influencing in any way the
12 action of such Administration, makes, passes, utters, or
13 publishes any statement, knowing the same to be false, or
14 alters, forges, or counterfeits any instrument, paper, or docu-
15 ment, or utters, publishes, or passes as true any instrument,
16 paper, or document, knowing it to have been altered, forged,
17 or counterfeited, or willfully overvalues any security, asset,
18 or income, shall be fined not more than \$5,000 or imprisoned
19 not more than two years, or both.

20 § 1011. FEDERAL LAND BANK MORTGAGE TRANSACTIONS

21 Whoever, being a mortgagee, knowingly makes any
22 false statement in any paper, proposal, or letter, relating to
23 the sale of any mortgage, to any Federal land bank; or

24 Whoever, being an appraiser, willfully overvalues any
25 land securing such mortgage—

1 Shall be fined not more than \$5,000 or imprisoned not
2 more than one year, or both.

3 § 1012. UNITED STATES HOUSING AUTHORITY TRANSAC-
4 TIONS

5 Whoever, with intent to defraud, makes any false entry
6 in any book of the United States Housing Authority or makes
7 any false report or statement to or for such Authority; or

8 Whoever receives any compensation, rebate, or reward,
9 with intent to defraud such Authority or with intent unlaw-
10 fully to defeat its purposes; or

11 Whoever induces or influences such Authority to pur-
12 chase or acquire any property or to enter into any contract
13 and willfully fails to disclose any interest which he has in
14 such property or in the property to which such contract
15 relates, or any special benefit which he expects to receive as
16 a result of such contract—

17 Shall be fined not more than \$1,000 or imprisoned not
18 more than one year, or both.

19 § 1013. FARM LOAN BONDS AND CREDIT BANK DEBEN-
20 TURES

21 Whoever deceives, defrauds, or imposes upon, or at-
22 tempts to deceive, defraud, or impose upon any person, part-
23 nership, corporation, or association by making any false pre-
24 tense or representation concerning the character, issue, se-

1 curity, contents, conditions, or terms of any farm loan bond,
2 or coupon, issued by any Federal land bank or banks, or by
3 any joint-stock land bank or banks; or of any debenture,
4 coupon, or other obligation, issued by any Federal inter-
5 mediate credit bank or banks, or by any National Agricul-
6 tural Credit Corporation; or by falsely pretending or repre-
7 senting that any farm loan bond, or coupon, is anything other
8 than, or different from, what it purports to be on the face of
9 said bond or coupon, shall be fined not more than \$500 or
10 imprisoned not more than one year, or both.

11 § 1014. LOAN AND CREDIT APPLICATIONS GENERALLY;

12 RENEWALS AND DISCOUNTS; CROP INSURANCE

13 Whoever knowingly makes any false statement or report
14 or willfully overvalues any land, property or security, for the
15 purpose of influencing in any way the action of the Recon-
16 struction Finance Corporation, Farm Credit Administration,
17 Federal Crop Insurance Corporation, Farmers' Home Cor-
18 poration, any Federal intermediate credit bank, or the Fed-
19 eral Farm Mortgage Corporation, or any division, officer, or
20 employee thereof, or of any corporation organized under sec-
21 tions 1131-1134m of Title 12, or in which a Production
22 Credit Corporation holds stock, or of any regional agricultural
23 credit corporation established pursuant to law, or of the Na-
24 tional Agricultural Credit Corporation, a Federal Home Loan
25 Bank, the Federal Home Loan Bank Board, the Home

1 Owners' Loan Corporation, a Federal Savings and Loan
2 Association, a Federal land bank, a joint-stock land bank, a
3 National farm loan association, or of a Federal Reserve bank,
4 upon any application, advance, discount, purchase, purchase
5 agreement, repurchase agreement, commitment, or loan, or
6 any change or extension of any of the same, by renewal, de-
7 ferment of action or otherwise, or the acceptance, release,
8 or substitution of security therefor, shall be fined not more
9 than \$5,000 or imprisoned not more than two years, or both.

10 § 1015. NATURALIZATION, CITIZENSHIP OR ALIEN REG-
11 ISTRY

12 (a) Whoever knowingly makes any false statement
13 under oath, in any case, proceeding, or matter relating to, or
14 under, or by virtue of any law of the United States relating
15 to naturalization, citizenship, or registry of aliens; or

16 (b) Whoever knowingly, with intent to avoid any duty
17 or liability imposed or required by law, denies that he has
18 been naturalized or admitted to be a citizen, after having been
19 so naturalized or admitted; or

20 (c) Whoever uses or attempts to use any certificate of
21 arrival, declaration of intention, certificate of naturalization,
22 certificate of citizenship or other documentary evidence of
23 naturalization or of citizenship, or any duplicate or copy
24 thereof, knowing the same to have been procured by fraud

1 or false evidence or without required appearance or hearing
2 of the applicant in court or otherwise unlawfully obtained; or

3 (d) Whoever knowingly makes any false certificate,
4 acknowledgment or statement concerning the appearance
5 before him or the taking of an oath or affirmation or the sig-
6 nature, attestation or execution by any person with respect
7 to any application, declaration, petition, affidavit, deposition,
8 certificate of naturalization, certificate of citizenship or other
9 paper or writing required or authorized by the laws relating
10 to immigration, naturalization, citizenship, or registry of
11 aliens—

12 Shall be fined not more than \$5,000 or imprisoned not
13 more than five years, or both.

14 § 1016. ACKNOWLEDGMENT OF APPEARANCE OR OATH

15 Whoever, being an officer authorized to administer oaths
16 or to take and certify acknowledgments, knowingly makes
17 any false acknowledgment, certificate, or statement concern-
18 ing the appearance before him or the taking of an oath or
19 affirmation by any person with respect to any proposal, con-
20 tract, bond, undertaking, or other matter submitted to, made
21 with, or taken on behalf of the United States or any depart-
22 ment or agency thereof, concerning which an oath or affirma-
23 tion is required by law or lawful regulation, or with respect
24 to the financial standing of any principal, surety, or other
25 party to any such proposal, contract, bond, undertaking, or

1 other instrument, shall be fined not more than \$2,000 or
2 imprisoned not more than two years, or both.

3 § 1017. GOVERNMENT SEALS WRONGFULLY USED AND
4 INSTRUMENTS WRONGFULLY SEALED

5 Whoever fraudulently or wrongfully affixes or impresses
6 the seal of any department or agency of the United States,
7 to or upon any certificate, instrument, commission, docu-
8 ment, or paper or with knowledge of its fraudulent character,
9 with wrongful or fraudulent intent, uses, buys, procures, sells,
10 or transfers to another any such certificate, instrument, com-
11 mission, document, or paper, to which or upon which said
12 seal has been so fraudulently affixed or impressed, shall be
13 fined not more than \$5,000 or imprisoned not more than
14 five years, or both.

15 § 1018. OFFICIAL CERTIFICATES OR WRITINGS

16 Whoever, being a public officer or other person author-
17 ized by any law of the United States to make or give a cer-
18 tificate or other writing, knowingly makes and delivers as
19 true such a certificate or writing, containing any statement
20 which he knows to be false, in a case where the punishment
21 thereof is not elsewhere expressly provided by law, shall be
22 fined not more than \$500 or imprisoned not more than one
23 year, or both.

24 § 1019. CERTIFICATES BY CONSULAR OFFICERS

25 Whoever, being a consul, or vice consul, or other person

1 employed in the consular service of the United States,
2 knowingly certifies falsely to any invoice, or other paper, to
3 which his certificate is authorized or required by law, shall
4 be fined not more than \$10,000 or imprisoned not more
5 than three years, or both.

6 § 1020. HIGHWAY PROJECTS

7 Whoever, being an officer, agent, or employee of the
8 United States, or of any State or Territory, or whoever,
9 whether a person, association, firm, or corporation, know-
10 ingly makes any false statement, false representation, or
11 false report as to the character, quality, quantity, or cost
12 of the material used or to be used, or the quantity or
13 quality of the work performed or to be performed, or the
14 costs thereof in connection with the submission of plans,
15 maps, specifications, contracts, or costs of construction of
16 any highway or related project submitted for approval to
17 the Secretary of Agriculture; or

18 Whoever knowingly makes any false statement, false
19 representation, or false report or claim for work or materials
20 for the construction of any highway or related project
21 approved by the Secretary of Agriculture; or

22 Whoever knowingly makes any false statement or false

1 representation in any report required under Title 23, with
2 intent to defraud the United States—

3 Shall be fined not more than \$10,000 or imprisoned
4 not more than five years, or both.

5 § 1021. TITLE RECORDS

6 Whoever, being an officer or other person authorized
7 by any law of the United States to record a conveyance
8 of real property or any other instrument which by such
9 law may be recorded, knowingly certifies falsely that such
10 conveyance or instrument has or has not been recorded,
11 shall be fined not more than \$1,000 or imprisoned not more
12 than five years, or both.

13 § 1022. DELIVERY OF CERTIFICATE, VOUCHER, RECEIPT
14 FOR MILITARY OR NAVAL PROPERTY

15 Whoever, being authorized to make or deliver any
16 certificate, voucher, receipt, or other paper certifying the
17 receipt of arms, ammunition, provisions, clothing, or other
18 property used or to be used in the military or naval service,
19 makes or delivers the same to any other person without a
20 full knowledge of the truth of the facts stated therein and
21 with intent to defraud the United States, or any agency
22 thereof, shall be fined not more than \$10,000 or imprisoned
23 not more than ten years, or both.

1 § 1023. INSUFFICIENT DELIVERY OF MONEY OR PROP-
2 ERTY FOR MILITARY OR NAVAL SERVICE

3 Whoever, having charge, possession, custody, or control
4 of any money or other public property used or to be used in
5 the military or naval service, with intent to defraud the
6 United States, or any agency thereof, or any corporation in
7 which the United States has a proprietary interest, or
8 intending to conceal such money or other property,
9 delivers to any person having authority to receive the
10 same any amount of such money or other property less than
11 that for which he received a certificate or took a receipt,
12 shall be fined not more than \$10,000 or imprisoned not more
13 than ten years, or both.

14 § 1024. PURCHASE OR RECEIPT OF MILITARY, NAVAL, OR
15 VETERANS' FACILITIES PROPERTY

16 Whoever purchases, or receives in pledge from any per-
17 son any arms, equipment, ammunition, clothing, military
18 stores, or other property furnished by the United States un-
19 der a clothing allowance or otherwise, to any member of the
20 armed forces of the United States or of the National Guard
21 or Naval Militia, or to any person accompanying, serving,
22 or retained with the land or naval forces and subject to mili-
23 tary or naval law, or to any former member of such Armed
24 Forces at or by any hospital, home, or facility maintained by
25 the United States, having knowledge or reason to believe

1 that the property has been taken from the possession of or
2 furnished by the United States under such allowance, or other-
3 wise, shall be fined not more than \$500 or imprisoned not
4 more than two years, or both.

5 § 1025. FALSE PRETENSES ON HIGH SEAS AND OTHER
6 WATERS

7 Whoever, upon any waters or vessel within the special
8 maritime and territorial jurisdiction of the United States, by
9 any fraud, or false pretense, obtains from any person any-
10 thing of value, or procures the execution and delivery of any
11 instrument of writing or conveyance of real or personal prop-
12 erty, or the signature of any person, as maker, endorser, or
13 guarantor, to or upon any bond, bill, receipt, promissory note,
14 draft, or check, or any other evidence of indebtedness, or
15 fraudulently sells, barter, or disposes of any bond, bill,
16 receipt, promissory note, draft, or check, or other evidence
17 of indebtedness, for value, knowing the same to be worthless,
18 or knowing the signature of the maker, endorser, or guarantor
19 thereof to have been obtained by any false pretenses, shall be
20 fined not more than \$5,000 or imprisoned not more than five
21 years, or both; but if the amount, value or the face value of
22 anything so obtained does not exceed \$100, he shall be fined
23 not more than \$1,000 or imprisoned not more than one year,
24 or both.

1 § 1026. COMPROMISE, ADJUSTMENT, OR CANCELLATION
2 OF FARM INDEBTEDNESS

3 Whoever knowingly makes any false statement for the
4 purpose of influencing in any way the action of the Secretary
5 of Agriculture, or of any person acting under his authority,
6 in connection with any compromise, adjustment, or cancella-
7 tion of any farm indebtedness as provided by sections 1150,
8 1150a, and 1150b of Title 12, shall be fined not more than
9 \$1,000 or imprisoned not more than one year, or both.

CHAPTER 49.—FUGITIVES FROM JUSTICE

Sec.

1071. Concealing person from arrest.

1072. Concealing escaped prisoner.

1073. Flight to avoid prosecution or giving testimony.

10 § 1071. CONCEALING PERSON FROM ARREST

11 Whoever harbors or conceals any person for whose arrest
12 a warrant or process has been issued under the provisions of
13 any law of the United States, so as to prevent his discovery
14 and arrest, after notice or knowledge of the fact that a war-
15 rant or process has been issued for the apprehension of such
16 person, shall be fined not more than \$1,000 or imprisoned
17 not more than six months, or both.

18 § 1072. CONCEALING ESCAPED PRISONER

19 Whoever willfully harbors or conceals any prisoner after
20 his escape from the custody of the Attorney General or from
21 a Federal penal or correctional institution, shall be imprisoned
22 not more than three years.

1 § 1073. FLIGHT TO AVOID PROSECUTION OR GIVING TESTI-
2 MONY

3 Whoever moves or travels in interstate or foreign com-
4 merce with intent either (1) to avoid prosecution, or
5 custody or confinement after conviction, under the laws
6 of the place from which he flees, for murder, kidnap-
7 ing, burglary, robbery, mayhem, rape, assault with a dan-
8 gerous weapon, or extortion accompanied by threats of vio-
9 lence, or attempt to commit any of the foregoing offenses as
10 they are defined either at common law or by the laws of the
11 place from which the fugitive flees, or (2) to avoid giving
12 testimony in any criminal proceedings in such place in which
13 the commission of an offense punishable by imprisonment in
14 a penitentiary is charged, shall be fined not more than \$5,000
15 or imprisoned not more than five years, or both.

Violations of this section may be prosecuted only in the Federal judicial district in which the original crime was alleged to have been committed or in which the person was held in custody or confinement.

CHAPTER 51.—HOMICIDE

Sec.

1111. Murder.

1112. Manslaughter.

1113. Attempt to commit murder or manslaughter.

1114. Protection of officers and employees of the United States.

1115. Misconduct or neglect of ship officers.

20 § 1111. MURDER

21 (a) Murder is the unlawful killing of a human being

1 with malice aforethought. Every murder perpetrated by
2 poison, lying in wait, or any other kind of willful, deliberate.
3 malicious, and premeditated killing; or committed in the
4 perpetration of, or attempt to perpetrate, any arson, rape,
5 burglary, or robbery; or perpetrated from a premeditated
6 design unlawfully and maliciously to effect the death of
7 any human being other than him who is killed, is murder
8 in the first degree.

9 Any other murder is murder in the second degree.

10 (b) Within the special maritime and territorial juris-
11 diction of the United States,

12 Whoever is guilty of murder in the first degree, shall
13 suffer death unless the jury qualifies its verdict by adding
14 thereto "without capital punishment", in which event he
15 shall be sentenced to imprisonment for life;

16 Whoever is guilty of murder in the second degree, shall
17 be imprisoned for any term of years or for life.

18 § 1112. MANSLAUGHTER

19 (a) Manslaughter is the unlawful killing of a human
20 being without malice. It is of two kinds:

21 Voluntary—Upon a sudden quarrel or heat of passion.

22 Involuntary—In the commission of an unlawful act not
23 amounting to a felony, or in the commission in an unlawful
24 manner, or without due caution and circumspection, of a
25 lawful act which might produce death.

1 (b) Within the special maritime and territorial jurisdic-
2 tion of the United States,

3 Whoever is guilty of voluntary manslaughter, shall be
4 imprisoned not more than ten years;

5 Whoever is guilty of involuntary manslaughter, shall be
6 fined not more than \$1,000 or imprisoned not more than
7 three years, or both.

8 § 1113. ATTEMPT TO COMMIT MURDER OR MANSLAUGH-
9 TER

10 Except as provided in section 113 of this title, whoever,
11 within the special maritime and territorial jurisdiction of the
12 United States, attempts to commit murder or manslaughter,
13 shall be fined not more than \$1,000 or imprisoned not more
14 than three years, or both.

15 § 1114. PROTECTION OF OFFICERS AND EMPLOYEES OF
16 THE UNITED STATES

17 Whoever kills any judge of the United States, any
18 United States Attorney, any Assistant United States At-
19 torney, or any United States marshal or deputy marshal or
20 person employed to assist such marshal or deputy marshal,
21 any officer or employee of the Federal Bureau of Investiga-
22 tion of the Department of Justice, any post-office inspector,
23 any officer or employee of the secret service or of the Bureau
24 of Narcotics, any officer or enlisted man of the Coast Guard,
25 any officer or employee of any United States penal or cor-

1 rectional institution, any officer, employee, agent, or other
2 person in the service of the customs or of the internal reve-
3 nue, any immigrant inspector or any immigration patrol in-
4 spector, any officer or employee of the Department of Agri-
5 culture or of the Department of the Interior designated by the
6 Secretary of Agriculture or the Secretary of the Interior to
7 enforce any Act of Congress for the protection, preservation,
8 or restoration of game and other wild birds and animals, any
9 officer or employee of the National Park Service, any officer
10 or employee of, or assigned to duty in, the field service of the
11 Division of Grazing of the Department of the Interior, any
12 employee of the Bureau of Animal Industry of the Depart-
13 ment of Agriculture, or any officer or employee of the Indian
14 field service of the United States, while engaged in the per-
15 formance of his official duties, or on account of the perform-
16 ance of his official duties, shall be punished as provided under
17 sections 1111 and 1112 of this title.

18 § 1115. MISCONDUCT OR NEGLECT OF SHIP OFFICERS

19 Every captain, engineer, pilot, or other person employed
20 on any steamboat or vessel, by whose misconduct, negligence,
21 or inattention to his duties on such vessel the life of any per-
22 son is destroyed, and every owner, charterer, inspector, or
23 other public officer, through whose fraud, neglect, connivance,
24 misconduct, or violation of law the life of any person is de-

1 stroyed, shall be fined not more than \$10,000 or imprisoned
2 not more than ten years, or both.

3 When the owner or charterer of any steamboat or vessel
4 is a corporation, any executive officer of such corporation, for
5 the time being actually charged with the control and man-
6 agement of the operation, equipment, or navigation of such
7 steamboat or vessel, who has knowingly and willfully caused
8 or allowed such fraud, neglect, connivance, misconduct, or
9 violation of law, by which the life of any person is destroyed,
10 shall be fined not more than \$10,000 or imprisoned not more
11 than ten years, or both.

CHAPTER 53.—INDIANS

Sec.

1151. Indian country defined.

1152. Laws governing.

1153. Offenses committed within Indian country.

1154. Intoxicants dispensed in Indian country.

1155. Intoxicants dispensed on school site.

1156. Intoxicants possessed unlawfully.

1157. Livestock sold or removed.

1158. Counterfeiting Indian Arts and Crafts Board trade-mark.

1159. Misrepresentation in sale of products.

1160. Property damaged in committing offense.

12 § 1151. INDIAN COUNTRY DEFINED

13 The term "Indian country", as used in this chapter,
14 means (a) all land within the limits of any Indian reser-
15 vation under the jurisdiction of the United States govern-
16 ment, notwithstanding the issuance of any patent, and,
17 including rights-of-way running through the reservation,
18 (b) all dependent Indian communities within the borders
19 of the United States whether within the original or subse-

1 quently acquired territory thereof, and whether within or
2 without the limits of a state, and (c) all Indian allotments,
3 the Indian titles to which have not been extinguished,
4 including rights of way running through the same.

5 § 1152. LAWS GOVERNING

6 Except as otherwise expressly provided by law, the
7 general laws of the United States as to the punishment of
8 offenses committed in any place within the sole and ex-
9 clusive jurisdiction of the United States, except the District
10 of Columbia, shall extend to the Indian country.

11 This section shall not extend to offenses committed by
12 one Indian against the person or property of another
13 Indian, nor to any Indian committing any offense in the
14 Indian country who has been punished by the local law
15 of the tribe, or to any case where, by treaty stipulations,
16 the exclusive jurisdiction over such offenses is or may be
17 secured to the Indian tribes respectively.

18 § 1153. OFFENSES COMMITTED WITHIN INDIAN COUNTRY

19 Any Indian who commits against the person or property
20 of another Indian or other person any of the following
21 offenses, namely, murder, manslaughter, rape, incest, assault
22 with intent to kill, assault with a dangerous weapon, arson,
23 burglary, robbery, and larceny within the Indian country,
24 shall be subject to the same laws and penalties as all other

1 persons committing any of the above offenses, within the
2 exclusive jurisdiction of the United States.

3 Any Indian who commits the offense of rape upon any
4 female Indian within the Indian country, shall be im-
5 prisoned at the discretion of the court.

6 As used in this section the offenses of burglary and rape
7 shall be defined and punished in accordance with the laws
8 of the State in which such offenses were committed.

9 § 1154. INTOXICANTS DISPENSED IN INDIAN COUNTRY

10 (a) Whoever sells, gives away, disposes of, exchanges,
11 or barterers any malt, spirituous, or vinous liquor, including
12 beer, ale, and wine, or any ardent or other intoxicating
13 liquor of any kind whatsoever, except for scientific, sacra-
14 mental, medicinal or mechanical purposes, or any essence,
15 extract, bitters, preparation, compound, composition, or any
16 article whatsoever, under any name, label, or brand, which
17 produces intoxication, to any Indian to whom an allotment
18 of land has been made while the title to the same shall be
19 held in trust by the Government, or to any Indian who is
20 a ward of the Government under charge of any Indian super-
21 intendent, or to any Indian, including mixed bloods, over
22 whom the Government, through its departments, exercises
23 guardianship, and whoever introduces or attempts to intro-
24 duce any malt, spirituous, or vinous liquor, including beer,

1 ale, and wine, or any ardent or intoxicating liquor of any
2 kind whatsoever into the Indian country, shall, for the first
3 offense, be fined not more than \$500 or imprisoned not more
4 than one year, or both; and, for each subsequent offense, be
5 fined not more than \$2,000 or imprisoned not more than five
6 years, or both.

7 (b) It shall be a sufficient defense to any charge of in-
8 troducing or attempting to introduce ardent spirits, ale, beer,
9 wine, or intoxicating liquors into the Indian country that the
10 acts charged were done under authority, in writing, from the
11 War Department or any officer duly authorized thereunto by
12 the War Department, but this subsection shall not bar the
13 prosecution of any officer, soldier, sutler or storekeeper,
14 attaché, or employee of the Army of the United States who
15 barter, donate, or furnishes in any manner whatsoever
16 liquors, beer, or any intoxicating beverage whatsoever to
17 any Indian.

18 § 1155. INTOXICANTS DISPENSED ON SCHOOL SITE

19 Whoever, on any tract of land in the former Indian
20 country upon which is located any Indian school maintained
21 by or under the supervision of the United States, manufac-
22 tures, sells, gives away, or in any manner, or by any means
23 furnishes to anyone, either for himself or another, any vinous,
24 malt, or fermented liquors, or any other intoxicating drinks
25 of any kind whatsoever, except for scientific, sacramental,

1 medicinal or mechanical purposes, whether medicated or
2 not, or who carries, or in any manner has carried, into such
3 area any such liquors or drinks, or who shall be interested
4 in such manufacture, sale, giving away, furnishing to any-
5 one, or carrying into such area any of such liquors or drinks,
6 shall be fined not more than \$500 or imprisoned not more
7 than five years, or both.

8 § 1156. INTOXICANTS POSSESSED UNLAWFULLY

9 Whoever, except for scientific, sacramental, medicinal or
10 mechanical purposes, possesses intoxicating liquors in the
11 Indian country or where the introduction is prohibited by
12 treaty or an Act of Congress, shall, for the first offense, be
13 fined not more than \$500 or imprisoned not more than
14 one year, or both; and, for each subsequent offense, be fined
15 not more than \$2,000 or imprisoned not more than five years,
16 or both.

17 § 1157. LIVESTOCK SOLD OR REMOVED

18 Where restricted Indians are in possession or control of
19 livestock purchased for or issued to them by the Govern-
20 ment, or the increase therefrom, such stock shall not be sold,
21 transferred, mortgaged, or otherwise disposed of, except with
22 the consent in writing of the superintendent or other officer in
23 charge of the tribe to which the owner or possessor of the
24 livestock belongs, and all transactions in violation of this pro-
25 vision shall be void.

1 All such livestock so purchased or issued and the increase
2 therefrom belonging to restricted Indians and grazed in the
3 Indian country shall be branded with the I D or reservation
4 brand of the jurisdiction to which the owners of such stock
5 belong, and shall not be removed from the Indian country
6 except with the consent in writing of the superintendent or
7 other officer in charge of the tribe to which the owner or
8 possessor of such livestock belongs, or by order of the Secre-
9 tary of War, in connection with the movement of troops.

10 Whoever violates this section by selling or otherwise dis-
11 posing of such stock, purchasing, or otherwise acquiring an
12 interest therein, or by removing such stock from the Indian
13 country, shall be fined not more than \$500 or imprisoned not
14 more than six months, or both.

15 § 1158. COUNTERFEITING INDIAN ARTS AND CRAFTS

16 BOARD TRADE-MARK

17 Whoever counterfeits or colorably imitates any Govern-
18 ment trade mark used or devised by the Indian Arts and
19 Crafts Board in the Department of the Interior as provided
20 in section 305a of Title 25, or, except as authorized by the
21 Board, affixes any such Government trade mark, or know-
22 ingly, willfully, and corruptly affixes any reproduction, coun-
23 terfeit, copy, or colorable imitation thereof upon any prod-
24 ucts, or to any labels, signs, prints, packages, wrappers, or

1 receptacles intended to be used upon or in connection with
2 the sale of such products; or

3 Whoever knowingly makes any false statement for the
4 purpose of obtaining the use of any such Government trade
5 mark—

6 Shall be fined not more than \$500 or imprisoned not
7 more than six months, or both; and shall be enjoined from
8 further carrying on the act or acts complained of.

9 § 1159. MISREPRESENTATION IN SALE OF PRODUCTS

10 Whoever willfully offers or displays for sale any goods,
11 with or without any Government trade mark, as Indian prod-
12 ucts or Indian products of a particular Indian tribe or group,
13 resident within the United States or the Territory of Alaska,
14 when such person knows such goods are not Indian products
15 or are not Indian products of the particular Indian tribe or
16 group, shall be fined not more than \$500 or imprisoned not
17 more than six months, or both.

18 § 1160. PROPERTY DAMAGED IN COMMITTING OFFENSE

19 Whenever a white person, in the commission of an offense
20 within the Indian country takes, injures or destroys the prop-
21 erty of any friendly Indian the judgment of conviction shall
22 include a sentence that the defendant pay to the Indian owner
23 a sum equal to twice the just value of the property so taken,
24 injured, or destroyed.

1 If such offender shall be unable to pay a sum at least
 2 equal to the just value or amount, whatever such payment
 3 shall fall short of the same shall be paid out of the Treasury
 4 of the United States. If such offender cannot be apprehended
 5 and brought to trial, the amount of such property shall be
 6 paid out of the Treasury. But no Indian shall be entitled to
 7 any payment out of the Treasury of the United States, for
 8 any such property, if he, or any of the nation to which he
 9 belongs, have sought private revenge, or have attempted to
 10 obtain satisfaction by any force or violence.

CHAPTER 55.—KIDNAPING

Sec.

1201. Transportation.

1202. Ransom money.

11 § 1201. TRANSPORTATION—

12 (a) Whoever knowingly transports in interstate or for-
 13 eign commerce, any person who has been unlawfully seized,
 14 confined, inveigled, decoyed, kidnaped, abducted, or carried
 15 away and held for ransom or reward or otherwise, except, in
 16 the case of a minor, by a parent thereof, shall be punished
 17 (1) by death if the kidnaped person has not been liberated
 18 unharmed, and if the verdict of the jury shall so recommend,
 19 or (2) by imprisonment for any term of years or for life,
 20 if the death penalty is not imposed.

21 (b) The failure to release the victim within seven
 22 days after he shall have been unlawfully seized, confined,
 23 inveigled, decoyed, kidnaped, abducted, or carried away shall

1 create a rebuttable presumption that such person has been
2 transported in interstate or foreign commerce.

3 (c) If two or more persons conspire to violate this sec-
4 tion and one or more of such persons do any overt act to
5 effect the object of the conspiracy, each shall be punished as
6 provided in subsection (a).

7 § 1202. RANSOM MONEY

8 Whoever receives, possesses, or disposes of any money
9 or other property, or any portion thereof, which has at any
10 time been delivered as ransom or reward in connection with
11 a violation of section 1201 of this title, knowing the same to
12 be money or property which has been at any time delivered
13 as such ransom or reward, shall be fined not more than
14 \$10,000 or imprisoned not more than ten years, or both.

CHAPTER 57.—LABOR

Sec.

1231. Transportation of strikebreakers.

1232. Enticement of workman from armory or arsenal.

15 § 1231. TRANSPORTATION OF STRIKEBREAKERS

16 Whoever willfully transports in interstate or foreign com-
17 merce any person who is employed or is to be employed for
18 the purpose of obstructing or interfering by force or threats
19 with (1) peaceful picketing by employees during any labor
20 controversy affecting wages, hours, or conditions of labor, or
21 (2) the exercise by employees of any of the rights of self
22 organization or collective bargaining; or

23 Whoever is knowingly transported in or travels in inter-

1 state or foreign commerce for any of the purposes enumerated
2 in this section—

3 Shall be fined not more than \$5,000 or imprisoned not
4 more than two years, or both.

5 This section shall not apply to common carriers.

6 § 1232. ENTICEMENT OF WORKMAN FROM ARMORY OR
7 ARSENAL

8 Whoever procures or entices any artificer or workman
9 retained or employed in any arsenal or armory to depart from
10 the same during the continuance of his engagement, or to
11 avoid or break his contract with the United States; or

12 Whoever, after due notice of the engagement of such
13 workman or artificer, during the continuance of such engage-
14 ment, retains, hires, or in anywise employs, harbors, or con-
15 ceals such artificer or workman—

16 Shall be fined not more than \$50 or imprisoned not more
17 than three months, or both.

CHAPTER 59.—LIQUOR TRAFFIC

Sec.

1261. Enforcement, regulations, and scope.

1262. Transportation into State prohibiting sale.

1263. Marks and labels on packages.

1264. Delivery to consignee.

1265. C. O. D. shipments prohibited.

18 § 1261. ENFORCEMENT, REGULATIONS, AND SCOPE

19 (a) The Secretary of the Treasury shall enforce the
20 provisions of this chapter. Regulations to carry out its pro-

visions shall be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

(d) This chapter shall not apply to the Canal Zone.

§ 1262. TRANSPORTATION INTO STATE PROHIBITING SALE

Whoever imports, brings, or transports any intoxicating liquor into any State, Territory, District, or Possession in which all sales, except for scientific, sacramental, medicinal, or mechanical purposes, of intoxicating liquor containing more than 4 per centum of alcohol by volume or 3.2 per centum of alcohol by weight are prohibited, otherwise than in the course of continuous interstate transportation through such State, Territory, District, or Possession or attempts so to do, or assists in so doing,

Shall (1) If such liquor is not accompanied by such permits, or licenses therefor as may be required by the laws of such State, Territory, District, or Possession or (2) if all importation, bringing, or transportation of intoxicating liquor into such State, Territory, District, or Possession is prohibited by the laws thereof, be fined not more than \$1,000 or imprisoned not more than one year, or both.

In the enforcement of this section, the definition of intoxicating liquor contained in the laws of the respective States, Territories, District, or Possessions shall be applied, but only

1 to the extent that sales of such intoxicating liquor (except for
2 scientific, sacramental, medicinal, and mechanical purposes)
3 are prohibited therein.

4 § 1263. MARKS AND LABELS ON PACKAGES

5 Whoever knowingly ships into any place within the
6 United States, any package of or package containing any
7 spirituous, vinous, malted, or other fermented liquor, or any
8 compound containing any spirituous, vinous, malted, or other
9 fermented liquor fit for use for beverage purposes, unless
10 such package is so labeled on the outside cover as to plainly
11 show the name of the consignee, the nature of its contents,
12 and the quantity contained therein, shall be fined not more
13 than \$1,000 or imprisoned not more than one year, or both.

14 § 1264. DELIVERY TO CONSIGNEE

15 Whoever, being an officer, agent, or employee of any
16 railroad company, express company, or other common car-
17 rier, knowingly delivers to any person other than the person
18 to whom it has been consigned, unless upon the written order
19 in each instance of the bona fide consignee, or to any fictitious
20 person, or to any person under a fictitious name, any spirit-
21 uous, vinous, malted, or other fermented liquor or any com-
22 pound containing any spirituous, vinous, malted, or other
23 fermented liquor fit for use for beverage purposes, which has
24 been shipped into any place within the United States, shall

1 be fined not more than \$1,000 or imprisoned not more than
2 one year, or both.

3 § 1265. C. O. D. SHIPMENTS PROHIBITED

4 Any railroad or express company, or other common car-
5 rier which, or any person who, in connection with the trans-
6 portation of any spirituous, vinous, malted, or other fermented
7 liquor, or any compound containing any spirituous, vinous,
8 malted, or other fermented liquor fit for use for beverage pur-
9 poses, into any State, Territory, District or Possession of the
10 United States, which prohibits the delivery or sale therein of
11 such liquor, collects the purchase price or any part thereof,
12 before, on, or after delivery, from the consignee, or from any
13 other person, or in any manner acts as the agent of the buyer
14 or seller of any such liquor, for the purpose of buying or sell-
15 ing or completing the sale thereof, saving only in the actual
16 transportation and delivery of the same, shall be fined not
17 more than \$5,000 or imprisoned not more than one year, or
18 both.

CHAPTER 61.—LOTTERIES

Sec.

1301. Importing or transporting lottery tickets.

1302. Mailing lottery tickets or related matter.

1303. Postmaster or employee as lottery agent.

1304. Broadcasting lottery information.

19 § 1301. IMPORTING OR TRANSPORTING LOTTERY TICKETS

20 Whoever brings into the United States for the purpose
21 of disposing of the same, or knowingly deposits with any

1 express company or other common carrier for carriage, or
2 carries in interstate or foreign commerce any paper, certifi-
3 cate, or instrument purporting to be or to represent a ticket,
4 chance, share, or interest in or dependent upon the event of
5 a lottery, gift enterprise, or similar scheme, offering prizes
6 dependent in whole or in part upon lot or chance, or any
7 advertisement of, or list of the prizes drawn or awarded by
8 means of, any such lottery, gift enterprise, or similar scheme;
9 or knowingly takes or receives any such paper, certificate,
10 instrument, advertisement, or list so brought, deposited, or
11 transported, shall be fined not more than \$1,000 or impris-
12 oned not more than two years, or both.

13 § 1302. MAILING LOTTERY TICKETS OR RELATED MATTER

14 Whoever knowingly deposits in the mail, or sends or
15 delivers by mail;

16 Any letter, package, postal card, or circular concerning
17 any lottery, gift enterprise, or similar scheme offering prizes
18 dependent in whole or in part upon lot or chance;

19 Any lottery ticket or part thereof, or paper, certificate,
20 or instrument purporting to be or to represent a ticket,
21 chance, share, or interest in or dependent upon the event of
22 a lottery, gift enterprise, or similar scheme offering prizes
23 dependent in whole or in part upon lot or chance;

24 Any check, draft, bill, money, postal note, or money

1 order, for the purchase of any ticket or part thereof, or of
2 any share or chance in any such lottery, gift enterprise, or
3 scheme;

4 Any newspaper, circular, pamphlet, or publication of any
5 kind containing any advertisement of any lottery, gift enter-
6 prise, or scheme of any kind offering prizes dependent in
7 whole or in part upon lot or chance, or containing any list
8 of the prizes drawn or awarded by means of any such lottery,
9 gift enterprise, or scheme, whether said list contains any part
10 or all of such prizes—

11 Shall be fined not more than \$1,000 or imprisoned not
12 more than two years, or both; and for any subsequent offense
13 shall be imprisoned not more than five years.

14 § 1303. POSTMASTER OR EMPLOYEE AS LOTTERY AGENT

15 Whoever, being a postmaster or other person employed
16 in the Postal Service, acts as agent for any lottery office, or
17 under color of purchase or otherwise, vends lottery tickets,
18 or knowingly sends by mail or delivers any letter, package,
19 postal card, circular, or pamphlet advertising any lottery, gift
20 enterprise, or similar scheme, offering prizes dependent in
21 whole or in part upon lot or chance, or any ticket, certificate,
22 or instrument representing any chance, share, or interest in
23 or dependent upon the event of any lottery, gift enterprise,
24 or similar scheme offering prizes dependent in whole or in

1 part upon lot or chance, or any list of the prizes awarded by
 2 means of any such scheme, shall be fined not more than \$100
 3 or imprisoned not more than one year, or both.

4 § 1304. BROADCASTING LOTTERY INFORMATION

5 Whoever broadcasts by means of any radio station for
 6 which a license is required by any law of the United States,
 7 or whoever, operating any such station, knowingly permits
 8 the broadcasting of, any advertisement of or information con-
 9 cerning any lottery, gift enterprise, or similar scheme, offer-
 10 ing prizes dependent in whole or in part upon lot or chance,
 11 or any list of the prizes drawn or awarded by means of any
 12 such lottery, gift enterprise, or scheme, whether said list con-
 13 tains any part or all of such prizes, shall be fined not more
 14 than \$1,000 or imprisoned not more than one year, or both.

15 Each day's broadcasting shall constitute a separate
 16 offense.

CHAPTER 63.—MAIL FRAUD

Sec.

1341. Frauds and swindles.

1342. Fictitious name and address.

17 § 1341. FRAUDS AND SWINDLES

18 Whoever, having devised or intending to devise any
 19 scheme or artifice to defraud, or for obtaining money or prop-
 20 erty by means of false or fraudulent pretenses, representa-
 21 tions, or promises, or to sell, dispose of, loan, exchange,
 22 alter, give away, distribute, supply, or furnish or procure

1 for unlawful use any counterfeit or spurious coin, obligation,
2 security, or other article, or anything represented to be
3 or intimated or held out to be such counterfeit or spurious
4 article, for the purpose of executing such scheme or artifice
5 or attempting so to do, places in any post office or author-
6 ized depository for mail matter, any matter or thing what-
7 ever to be sent or delivered by the Post Office Department,
8 or takes or receives therefrom, any such matter or thing,
9 or knowingly causes to be delivered by mail according to
10 the direction thereon, or at the place at which it is directed
11 to be delivered by the person to whom it is addressed, any
12 such matter or thing, shall be fined not more than \$1,000
13 or imprisoned not more than five years, or both.

14 § 1342. FICTITIOUS NAME OR ADDRESS

15 Whoever, for the purpose of conducting, promoting, or
16 carrying on by means of the Post Office Department of the
17 United States, any scheme or device mentioned in section
18 1341 of this title or any other unlawful business, uses or
19 assumes, or requests to be addressed by, any fictitious, false,
20 or assumed title, name, or address, or name other than his
21 own proper name, or takes or receives from any post office
22 or authorized depository of mail matter, any letter, postal
23 card, package, or other mail matter addressed to any such
24 fictitious, false, or assumed title, name, or address, or name

1 other than his own proper name, shall be fined not more
 2 than \$1,000 or imprisoned not more than five years, or
 3 both.

CHAPTER 65.—MALICIOUS MISCHIEF

Sec.

1361. Government property or contracts.

1362. Communication lines, stations or systems.

1363. Buildings or property within special maritime and territorial jurisdiction.

1364. Interference with foreign commerce by violence.

4 § 1361. GOVERNMENT PROPERTY OR CONTRACTS

5 Whoever willfully injures or commits any depredation
 6 against any property of the United States, or of any depart-
 7 ment or agency thereof, or any property which has been or
 8 is being manufactured or constructed for the United States,
 9 or any department or agency thereof, shall be punished as
 10 follows:

11 If the damage to such property exceeds the sum of \$100,
 12 by a fine of not more than \$10,000 or imprisonment for not
 13 more than ten years, or both; if the damage to such prop-
 14 erty does not exceed the sum of \$100, by a fine of not more
 15 than \$1,000 or by imprisonment for not more than one
 16 year, or both.

17 § 1362. COMMUNICATION LINES, STATIONS OR SYSTEMS

18 Whoever willfully or maliciously injures or destroys any
 19 of the works, property, or material of any radio, telegraph,
 20 telephone, or cable, line, station, or system, or other means
 21 of communication, operated or controlled by the United

1 States, whether constructed or in process of construction, or
2 willfully or maliciously interferes in any way with the work-
3 ing or use of any such line, or system, or willfully or mali-
4 ciously obstructs, hinders, or delays the transmission of any
5 communication over any such line, or system, shall be fined
6 not more than \$1,000 or imprisoned not more than three
7 years, or both.

8 § 1363. BUILDINGS OR PROPERTY WITHIN SPECIAL MARI-
9 TIME AND TERRITORIAL JURISDICTION

10 Whoever, within the special maritime and territorial
11 jurisdiction of the United States, willfully and maliciously
12 destroys or injures or attempts to destroy or injure any build-
13 ing, structure or vessel, any machinery or building materials
14 and supplies, military or naval stores, munitions of war or
15 any structural aids or appliances for navigation or shipping,
16 shall be fined not more than \$1,000 or imprisoned not more
17 than five years, or both, and if the building be a dwelling, or
18 the life of any person be placed in jeopardy, shall be fined not
19 more than \$5,000 or imprisoned not more than twenty years,
20 or both.

21 § 1364. INTERFERENCE WITH FOREIGN COMMERCE BY
22 VIOLENCE

23 Whoever, with intent to prevent, interfere with, or
24 obstruct or attempt to prevent, interfere with, or obstruct

1 the exportation to foreign countries of articles from the
 2 United States, injures or destroys, by fire or explosives, such
 3 articles or the places where they may be while in such for-
 4 eign commerce, shall be fined not more than \$10,000 or
 5 imprisoned not more than twenty years, or both.

CHAPTER 67.—MILITARY AND NAVY

Sec.

1381. Enticing desertion and harboring deserters.

1382. Entering military, naval, or Coast Guard property.

1383. Restrictions in military areas and zones.

1384. Prostitution near military and naval establishments.

6 § 1381. ENTICING DESERTION AND HARBORING DE-
 7 SERTERS

8 Whoever entices or procures, or attempts or endeavors
 9 to entice or procure any person in the Armed Forces of the
 10 United States, or who has been recruited for service therein,
 11 to desert therefrom, or aids any such person in deserting or
 12 in attempting to desert from such service; or

13 Whoever harbors, conceals, protects, or assists any such
 14 person who may have deserted from such service, knowing
 15 him to have deserted therefrom, or refuses to give up and
 16 deliver such person on the demand of any officer authorized
 17 to receive him—

18 Shall be fined not more than \$2,000 or imprisoned not
 19 more than three years, or both.

1 § 1382. ENTERING MILITARY, NAVAL, OR COAST GUARD
2 PROPERTY

3 Whoever, within the jurisdiction of the United States,
4 goes upon any military, naval, or Coast Guard reservation,
5 post, fort, arsenal, yard, station, or installation, for any pur-
6 pose prohibited by law or lawful regulation; or

7 Whoever reenters or is found within any such reserva-
8 tion, post, fort, arsenal, yard, station, or installation, after
9 having been removed therefrom or ordered not to reenter by
10 any officer or person in command or charge thereof—

11 Shall be fined not more than \$500 or imprisoned not
12 more than six months, or both.

13 § 1383. RESTRICTIONS IN MILITARY AREAS AND ZONES

14 Whoever, contrary to the restrictions applicable thereto,
15 enters, remains in, leaves, or commits any act in any military
16 area or military zone prescribed under the authority of an
17 Executive order of the President, by the Secretary of War,
18 or by any military commander designated by the Secretary
19 of War, shall, if it appears that he knew or should have
20 known of the existence and extent of the restrictions or order
21 and that his act was in violation thereof, be fined not more
22 than \$5,000 or imprisoned not more than one year, or both.

1 § 1384. PROSTITUTION NEAR MILITARY AND NAVAL
2 ESTABLISHMENTS

3 Within such reasonable distance of any military or
4 naval camp, station, fort, post, yard, base, cantonment, train-
5 ing or mobilization place as the Secretary of War or the
6 Secretary of the Navy, or both shall determine to be needful
7 to the efficiency, health, and welfare of the Army or the
8 Navy, or both, and shall designate and publish in general
9 orders or bulletins, whoever engages in prostitution or aids
10 or abets prostitution or procures or solicits for purposes of
11 prostitution, or keeps or sets up a house of ill fame, brothel,
12 or bawdy house, or receives any person for purposes of
13 lewdness, assignation, or prostitution into any vehicle, con-
14 veyance, place, structure, or building, or permits any person
15 to remain for the purpose of lewdness, assignation, or prosti-
16 tution in any vehicle, conveyance, place, structure, or
17 building or leases or rents or contracts to lease or rent
18 any vehicle, conveyance, place, structure or building, or part
19 thereof, knowing or with good reason to know that it is
20 intended to be used for any of the purposes herein prohibited
21 shall be fined not more than \$1,000 or imprisoned not more
22 than one year, or both.

23 The Secretaries of War and Navy and the Federal
24 Security Administrator shall take such steps as they deem

1 necessary to suppress and prevent such violations thereof,
 2 and shall accept the cooperation of the authorities of States
 3 and their counties, districts, and other political subdivisions
 4 in carrying out the purpose of this section.

5 This section shall not be construed as conferring on the
 6 personnel of the War or Navy Department or the Federal
 7 Security Agency any authority to make criminal investiga-
 8 tions, searches, seizures, or arrests of civilians charged with
 9 violations of this section.

CHAPTER 69.—NATIONALITY AND CITIZENSHIP

Sec.

1421. Accounts of court officers.

1422. Fees in naturalization proceedings.

1423. Misuse of evidence of citizenship or naturalization.

1424. Personation or misuse of papers in naturalization proceedings.

1425. Procurement of citizenship or naturalization unlawfully.

1426. Reproduction of naturalization or citizenship papers.

1427. Sale of naturalization or citizenship papers.

1428. Surrender of cancelled naturalization certificate.

10 § 1421. ACCOUNTS OF COURT OFFICERS

11 Whoever, being a clerk or assistant clerk of a court, or
 12 other person charged by law with a duty to render true
 13 accounts of moneys received in any proceeding relating to
 14 citizenship, naturalization, or registration of aliens or to pay
 15 over any balance of such moneys due to the United States,
 16 willfully neglects to do so within thirty days after said pay-
 17 ment shall become due and demand therefor has been made,
 18 shall be fined not more than \$5,000 or imprisoned not more
 19 than five years, or both.

1 § 1422. FEES IN NATURALIZATION PROCEEDINGS

2 Whoever knowingly demands, charges, solicits, collects,
3 or receives, or agrees to charge, solicit, collect, or receive any
4 other or additional fees or moneys in proceedings relating to
5 naturalization or citizenship or the registry of aliens beyond
6 the fees and moneys authorized by law, shall be fined not
7 more than \$5,000 or imprisoned not more than five years, or
8 both.

9 § 1423. MISUSE OF EVIDENCE OF CITIZENSHIP OR NATU-
10 RALIZATION

11 Whoever knowingly uses for any purpose any order,
12 certificate, certificate of naturalization, certificate of citizen-
13 ship, judgment, decree, or exemplification, unlawfully issued
14 or made, or copies or duplicates thereof, showing any person
15 to be naturalized or admitted to be a citizen, shall be fined
16 not more than \$5,000 or imprisoned not more than five
17 years, or both.

18 § 1424. PERSONATION OR MISUSE OF PAPERS IN NATU-
19 RALIZATION PROCEEDINGS

20 Whoever, whether as applicant, declarant, petitioner,
21 witness or otherwise, in any naturalization or citizenship pro-
22 ceeding, knowingly personates another or appears falsely in
23 the name of a deceased person or in an assumed or fictitious
24 name; or

1 Whoever knowingly and unlawfully uses or attempts to
2 use, as showing naturalization or citizenship of any person,
3 any order, certificate, certificate of naturalization, certificate
4 of citizenship, judgment, decree, or exemplification, or copies
5 or duplicates thereof, issued to another person, or in a ficti-
6 tious name or in the name of a deceased person—

7 Shall be fined not more than \$5,000 or imprisoned not
8 more than five years, or both.

9 § 1425. PROCUREMENT OF CITIZENSHIP OR NATURALIZA-
10 TION UNLAWFULLY

11 (a) Whoever knowingly procures or attempts to pro-
12 cure, contrary to law, the naturalization of any person, or
13 documentary or other evidence of naturalization or of citizen-
14 ship; or

15 (b) Whoever, whether for himself or another person
16 not entitled thereto, knowingly issues, procures or obtains or
17 applies for or otherwise attempts to procure or obtain natu-
18 ralization, or citizenship, or a declaration of intention to
19 become a citizen, or a certificate of arrival or any certificate
20 or evidence of naturalization or citizenship, documentary or
21 otherwise, or duplicates or copies of any of the foregoing—

22 Shall be fined not more than \$5,000 or imprisoned not
23 more than five years, or both.

1 § 1426. REPRODUCTION OF NATURALIZATION OR CITI-
2 ZENSHIP PAPERS

3 (a) Whoever falsely makes, forges, alters or counter-
4 feits any oath, notice, affidavit, certificate of arrival, declara-
5 tion of intention, certificate or documentary evidence of
6 naturalization or citizenship or any order, record, signature,
7 paper or proceeding or any copy thereof, required or author-
8 ized by any law relating to naturalization or citizenship or
9 registry of aliens; or

10 (b) Whoever utters, sells, disposes of or uses as true or
11 genuine, any false, forged, altered, antedated or counterfeited
12 oath, notice, affidavit, certificate of arrival, declaration of
13 intention to become a citizen, certificate or documentary evi-
14 dence of naturalization or citizenship, or any order, record,
15 signature or other instrument, paper or proceeding required
16 or authorized by any law relating to naturalization or citizen-
17 ship or registry of aliens, or any copy thereof, knowing the
18 same to be false, forged, altered, antedated or counterfeited;
19 or

20 (c) Whoever, with intent unlawfully to use the same,
21 possesses any false, forged, altered, antedated or counter-
22 feited certificate of arrival, declaration of intention to become
23 a citizen, certificate or documentary evidence of naturaliza-
24 tion or citizenship purporting to have been issued under any

1 law of the United States, or copy thereof, knowing the same
2 to be false, forged, altered, antedated or counterfeited; or

3 (d) Whoever, without lawful authority, engraves or
4 possesses, sells or brings into the United States any plate in
5 the likeness or similitude of any plate designed, for the print-
6 ing of a declaration of intention, or certificate or documentary
7 evidence of naturalization or citizenship; or

8 (e) Whoever, without lawful authority, brings into the
9 United States any document printed therefrom; or

10 (f) Whoever, without lawful authority, possesses any
11 blank certificate of arrival, blank declaration of intention or
12 blank certificate of naturalization or citizenship provided by
13 the Immigration and Naturalization Service, with intent un-
14 lawfully to use the same; or

15 (g) Whoever, with intent unlawfully to use the same,
16 possesses a distinctive paper adopted by the proper officer or
17 agency of the United States for the printing or engraving of
18 a declaration of intention to become a citizen, or certificate
19 of naturalization or certificate of citizenship; or

20 (h) Whoever, without lawful authority, prints, photo-
21 graphs, makes or executes any print or impression in the
22 likeness of a certificate of arrival, declaration of intention to
23 become a citizen, or certificate of naturalization or citizen-
24 ship, or any part thereof—

1 Shall be fined not more than \$5,000 or imprisoned not
2 more than five years, or both.

3 § 1427. SALE OF NATURALIZATION OR CITIZENSHIP
4 PAPERS

5 Whoever unlawfully sells or disposes of a declaration of
6 intention to become a citizen, certificate of naturalization,
7 certificate of citizenship or copies or duplicates or other
8 documentary evidence of naturalization or citizenship, shall be
9 fined not more than \$5,000 or imprisoned not more than
10 five years, or both.

11 § 1428. SURRENDER OF CANCELED NATURALIZATION
12 CERTIFICATE

13 Whoever, having in his possession or control a certifi-
14 cate of naturalization or citizenship or a copy thereof which
15 has been canceled as provided by law, fails to surrender the
16 same after at least sixty days' notice by the appropriate
17 court or the Commissioner or Deputy Commissioner of
18 Immigration, shall be fined not more than \$5,000 or im-
19 prisoned not more than five years, or both.

CHAPTER 71.—OBSCENITY

Sec.

1461. Mailing obscene or crime-inciting matter.

1462. Importation or transportation of obscene literature.

1463. Mailing indecent matter on wrappers or envelopes.

1464. Broadcasting obscene language.

1 § 1461. MAILING OBSCENE OR CRIME-INCITING MATTER

2 Every obscene, lewd, lascivious, or filthy book, pam-
3 phlet, picture, paper, letter, writing, print, or other publica-
4 tion of an indecent character; and—

5 Every article or thing designed, adapted, or intended for
6 preventing conception or producing abortion, or for any
7 indecent or immoral use; and

8 Every article, instrument, substance, drug, medicine, or
9 thing which is advertised or described in a manner calculated
10 to lead another to use or apply it for preventing conception
11 or producing abortion, or for any indecent or immoral pur-
12 pose; and

13 Every written or printed card, letter, circular, book,
14 pamphlet, advertisement, or notice of any kind giving infor-
15 mation, directly or indirectly, where, or how, or from whom,
16 or by what means any of such mentioned matters, articles, or
17 things may be obtained or made, or where or by whom any
18 act or operation of any kind for the procuring or producing
19 of abortion will be done or performed, or how or by what
20 means conception may be prevented or abortion produced.
21 whether sealed or unsealed; and

22 Every letter, packet, or package, or other mail matter

1 containing any filthy, vile, or indecent thing, device, or sub-
2 stance; and

3 Every paper, writing, advertisement, or representation
4 that any article, instrument, substance, drug, medicine, or
5 thing may, or can, be used or applied for preventing concep-
6 tion or producing abortion, or for any indecent or immoral
7 purpose; and

8 Every description calculated to induce or incite a person
9 to so use or apply any such article, instrument, substance,
10 drug, medicine, or thing—

11 Is declared to be nonmailable matter and shall not be
12 conveyed in the mails or delivered from any post office or by
13 any letter carrier.

14 Whoever knowingly deposits for mailing or delivery,
15 anything declared by this section to be nonmailable, or know-
16 ingly takes the same from the mails for the purpose of circu-
17 lating or disposing thereof, or of aiding in the circulation or
18 disposition thereof, shall be fined not more than \$5,000 or
19 imprisoned not more than five years, or both.

20 The term “indecent”, as used in this section includes
21 matter of a character tending to incite arson, murder, or
22 assassination.

1 § 1462. IMPORTATION OR TRANSPORTATION OF OBSCENE
2 LITERATURE

3 Whoever brings into the United States, or any place
4 subject to the jurisdiction thereof, or knowingly deposits
5 with any express company or other common carrier, for car-
6 riage in interstate or foreign commerce any obscene, lewd,
7 lascivious, or filthy book, pamphlet, picture, motion-picture
8 film, paper, letter, writing, print, or other matter of inde-
9 cent character, or any drug, medicine, article, or thing de-
10 signed, adapted, or intended for preventing conception, or
11 producing abortion, or for any indecent or immoral use;
12 or any written or printed card, letter, circular, book, pam-
13 phlet, advertisement, or notice of any kind giving informa-
14 tion, directly or indirectly, where, how, or of whom, or by
15 what means any of such mentioned articles, matters, or
16 things may be obtained or made; or

17 Whoever knowingly takes from such express company
18 or other common carrier any matter or thing the depositing
19 of which for carriage is herein made unlawful—

20 Shall be fined not more than \$5,000 or imprisoned not
21 more than five years, or both.

1 § 1463. MAILING INDECENT MATTER ON WRAPPERS OR
2 ENVELOPES

3 All matter otherwise mailable by law, upon the envelope
4 or outside cover or wrapper of which, and all postal cards
5 upon which, any delineations, epithets, terms, or language
6 of an indecent, lewd, lascivious, or obscene character are
7 written or printed or otherwise impressed or apparent, are
8 nonmailable matter, and shall not be conveyed in the mails
9 nor delivered from any post office nor by any letter carrier,
10 and shall be withdrawn from the mails under such regula-
11 tions as the Postmaster General shall prescribe.

12 Whoever knowingly deposits for mailing or delivery,
13 anything declared by this section to be nonmailable matter,
14 or knowingly takes the same from the mails for the purpose
15 of circulating or disposing of or aiding in the circulation
16 or disposition of the same, shall be fined not more than
17 \$5,000 or imprisoned not more than five years, or both.

18 § 1464. BROADCASTING OBSCENE LANGUAGE

19 Whoever utters any obscene, indecent, or profane
20 language by means of radio communication shall be fined
21 not more than \$10,000 or imprisoned not more than two
22 years, or both.

CHAPTER 73.—OBSTRUCTION OF JUSTICE

Sec.

1501. Assault on process server.

1502. Resistance to extradition agent.

1503. Influencing or injuring officer, juror or witness generally.

1504. Influencing juror by writing.

1505. Influencing or injuring witness before agencies and committees.

1506. Theft or alteration of record or process; false bail.

1 § 1501. ASSAULT ON PROCESS SERVER

2 Whoever knowingly and willfully obstructs, resists, or
3 opposes any officer of the United States, or other person
4 duly authorized, in serving, or attempting to serve or execute,
5 any legal or judicial writ or process of any court of the
6 United States, or United States commissioner; or

7 Whoever assaults, beats, or wounds any officer or other
8 person duly authorized, knowing him to be such officer, or
9 other person so duly authorized, in serving or executing any
10 such writ, rule, order, process, warrant, or other legal or
11 judicial writ or process—

12 Shall, except as otherwise provided by law, be fined
13 not more than \$300 or imprisoned not more than one year,
14 or both.

15 § 1502. RESISTANCE TO EXTRADITION AGENT

16 Whoever knowingly and willfully obstructs, resists, or
17 opposes an extradition agent of the United States in the
18 execution of his duties, shall be fined not more than \$300
19 or imprisoned not more than one year, or both.

20 § 1503. INFLUENCING OR INJURING OFFICER, JUROR OR

21 WITNESS GENERALLY

22 Whoever corruptly, or by threats or force, or by any
23 threatening letter or communication, endeavors to influence,
24 intimidate, or impede any witness, in any court of the United
25 States or before any United States commissioner or other

1 committing magistrate, or any grand or petit juror, or officer
2 in or of any court of the United States, or officer who may
3 be serving at any examination or other proceeding before any
4 United States commissioner or other committing magistrate,
5 in the discharge of his duty, or injures any party or witness
6 in his person or property on account of his attending or
7 having attended such court or examination before such
8 officer, commissioner, or other committing magistrate, or
9 on account of his testifying or having testified to any matter
10 pending therein, or injures any such grand or petit juror
11 in his person or property on account of any verdict or indictment
12 assented to by him, or on account of his being or
13 having been such juror, or injures any such officer, commissioner,
14 or other committing magistrate in his person or
15 property on account of the performance of his official duties,
16 or corruptly or by threats or force, or by any threatening
17 letter or communication, influences, obstructs, or impedes,
18 or endeavors to influence, obstruct, or impede, the due
19 administration of justice, shall be fined not more than \$5,000
20 or imprisoned not more than five years, or both.

21 § 1504. INFLUENCING JUROR BY WRITING

22 Whoever attempts to influence the action or decision of
23 any grand or petit juror of any court of the United States
24 upon any issue or matter pending before such juror, or before
25 the jury of which he is a member, or pertaining to his duties,

1 by writing or sending to him any written communication, in
2 relation to such issue or matter, shall be fined not more than
3 \$1,000 or imprisoned not more than six months, or both.

4 Nothing in this section shall be construed to prohibit the
5 communication of a request to appear before the grand jury.

6 § 1505. INFLUENCING OR INJURING WITNESS BEFORE
7 AGENCIES AND COMMITTEES

8 Whoever corruptly, or by threats or force, or by any
9 threatening letter or communication, endeavors to influence,
10 intimidate, or impede any witness in any proceeding pending
11 before any department or agency of the United States, or in
12 connection with any inquiry or investigation being had by
13 either House, or any committee of either House, or any
14 joint committee of the Congress; or

15 Whoever injures any party or witness in his person or
16 property on account of his attending or having attended such
17 proceeding, inquiry, or investigation, or on account of his
18 testifying or having testified to any matter pending therein,
19 or;

20 Whoever corruptly, or by threats or force, or by any
21 threatening letter or communication influences, obstructs,
22 or impedes, or endeavors to influence, obstruct, or impede the
23 due and proper administration of the law under which such
24 proceeding is being had before such department or agency

1 of the United States, or the due and proper exercise of the
 2 power of inquiry under which such inquiry or investigation
 3 is being had by either House, or any committee of either
 4 House or any joint committee of the Congress—

5 Shall be fined not more than \$5,000 or imprisoned not
 6 more than five years, or both.

7 § 1506. THEFT OR ALTERATION OF RECORD OR PROCESS;

8 FALSE BAIL

9 Whoever feloniously steals, takes away, alters, falsifies,
 10 or otherwise avoids any record, writ, process, or other pro-
 11 ceeding, in any court of the United States, whereby any
 12 judgment is reversed, made void, or does not take effect;
 13 or

14 Whoever acknowledges, or procures to be acknowledged
 15 in any such court, any recognizance, bail, or judgment, in
 16 the name of any other person not privy or consenting to
 17 the same—

18 Shall be fined not more than \$5,000 or imprisoned not
 19 more than five years, or both.

CHAPTER 75.—PASSPORTS AND VISAS

Sec.

1541. Issuance without authority.

1542. False statement in application and use of passport.

1543. Forgery or false use of passport.

1544. Misuse of passport.

1545. Safe conduct violation.

1546. Fraud and misuse of visas and permits.

1 § 1541. ISSUANCE WITHOUT AUTHORITY

2 Whoever, acting or claiming to act in any office or ca-
3 pacity under the United States, or a State or possession, with-
4 out lawful authority grants, issues, or verifies any passport
5 or other instrument in the nature of a passport to or for any
6 person whomsoever; or

7 Whoever, being a consular officer authorized to grant,
8 issue, or verify passports, knowingly and willfully grants,
9 issues, or verifies any such passport to or for any person not
10 owing allegiance, to the United States, whether a citizen or
11 not—

12 Shall be fined not more than \$500 or imprisoned not
13 more than one year, or both.

14 § 1542. FALSE STATEMENT IN APPLICATION AND USE OF
15 PASSPORT

16 Whoever willfully and knowingly makes any false state-
17 ment in an application for passport with intent to induce or
18 secure the issuance of a passport under the authority of the
19 United States, either for his own use or the use of another,
20 contrary to the laws regulating the issuance of passports or
21 the rules prescribed pursuant to such laws; or

22 Whoever willfully and knowingly uses or attempts to use,
23 or furnishes to another for use, any passport the issue of

1 which was secured in any way by reason of any false state-
2 ment—

3 Shall be fined not more than \$2,000 or imprisoned not
4 more than five years, or both.

5 § 1543. FORGERY OR FALSE USE OF PASSPORT

6 Whoever falsely makes, forges, counterfeits, mutilates, or
7 alters any passport or instrument purporting to be a passport,
8 with intent that the same may be used; or

9 Whoever willfully and knowingly uses, or attempts to use,
10 or furnishes to another for use any such false, forged, counter-
11 feited, mutilated, or altered passport or instrument purporting
12 to be a passport, or any passport validly issued which has
13 become void by the occurrence of any condition therein pre-
14 scribed invalidating the same—

15 Shall be fined not more than \$2,000 or imprisoned not
16 more than five years, or both.

17 § 1544. MISUSE OF PASSPORT

18 Whoever willfully and knowingly uses, or attempts to
19 use, any passport issued or designed for the use of another;
20 or

21 Whoever willfully and knowingly uses or attempts to
22 use any passport in violation of the conditions or restrictions
23 therein contained, or of the rules prescribed pursuant to the
24 laws regulating the issuance of passports; or

25 Whoever willfully and knowingly furnishes, disposes of,

1 or delivers a passport to any person, for use by another
2 than the person for whose use it was originally issued and
3 designed—

4 Shall be fined not more than \$2,000 or imprisoned not
5 more than five years, or both.

6 § 1545. SAFE CONDUCT VIOLATION

7 Whoever violates any safe conduct or passport duly ob-
8 tained and issued under authority of the United States shall
9 be fined not more than \$2,000 or imprisoned not more than
10 three years, or both.

11 § 1546. FRAUD AND MISUSE OF VISAS AND PERMITS

12 Whoever knowingly forges, counterfeits, alters, or falsely
13 makes any immigration visa or permit, or utters, uses, at-
14 tempts to use, possesses, obtains, accepts, or receives any
15 immigration visa or permit, knowing it to be forged, coun-
16 terfeited, altered, or falsely made, or to have been procured
17 by means of any false claim or statement, or to have been
18 otherwise procured by fraud or unlawfully obtained; or

19 Whoever, except under direction of the Attorney Gen-
20 eral or other proper officer, knowingly possesses any blank
21 permit, or engraves, sells, brings into the United States, or
22 has in his control or possession any plate in the likeness of
23 a plate designed for the printing of permits, or makes any
24 print, photograph, or impression in the likeness of any im-
25 migration visa or permit, or has in his possession a distinc-

1 tive paper which has been adopted by the Attorney General
 2 for the printing of immigration visas or permits; or

3 Whoever, when applying for an immigration visa or
 4 permit, or for admission to the United States, personates
 5 another, or falsely appears in the name of a deceased indi-
 6 vidual, or evades or attempts to evade the immigration laws
 7 by appearing under an assumed or fictitious name, or sells
 8 or otherwise disposes of, or offers to sell or otherwise dispose
 9 of, or utters, an immigration visa or permit, to any person
 10 not authorized by law to receive such document; or

11 Whoever knowingly makes under oath any false state-
 12 ment in any application, affidavit, or other document re-
 13 quired by the immigration laws or regulations prescribed
 14 thereunder—

15 Shall be fined not more than \$2,000 or imprisoned not
 16 more than five years, or both.

CHAPTER 77.—PEONAGE AND SLAVERY

Sec.

1581. Peonage; obstructing enforcement.

1582. Vessels for slave trade.

1583. Enticement into slavery.

1584. Sale into involuntary servitude.

1585. Seizure, detention, transportation or sale of slaves.

1586. Service on vessels in slave trade.

1587. Possession of slaves aboard vessel.

1588. Transportation of slaves from United States.

17 § 1581. PEONAGE; OBSTRUCTING ENFORCEMENT

18 (a) Whoever holds or returns any person to a condition
 19 of peonage, or arrests any person with the intent of placing
 20 him in or returning him to a condition of peonage, shall be

1 fined not more than \$5,000 or imprisoned not more than five
2 years, or both.

3 (b) Whoever obstructs, or attempts to obstruct, or in
4 any way interferes with or prevents the enforcement of this
5 section, shall be liable to the penalties prescribed in sub-
6 section (a).

7 § 1582. VESSELS FOR SLAVE TRADE

8 Whoever, whether as master, factor, or owner, builds, fits
9 out, equips, loads, or otherwise prepares or sends away any
10 vessel, in any port or place within the United States, or
11 causes such vessel to sail from any such port or place, for
12 the purpose of procuring any person from any foreign king-
13 dom or country to be transported and held, sold, or otherwise
14 disposed of as a slave, or held to service or labor, shall be
15 fined not more than \$5,000 or imprisoned not more than
16 seven years, or both.

17 § 1583. ENTICEMENT INTO SLAVERY

18 Whoever kidnaps or carries away any other person, with
19 the intent that such other person be sold into involuntary
20 servitude, or held as a slave; or

21 Whoever entices, persuades, or induces any other person
22 to go on board any vessel or to any other place with the intent
23 that he may be made or held as a slave, or sent out of the
24 country to be so made or held—

1 · Shall be fined not more than \$5,000 or imprisoned not
2 more than five years, or both.

3 § 1584. SALE INTO INVOLUNTARY SERVITUDE

4 Whoever knowingly and willfully holds to involuntary
5 servitude or sells into any condition of involuntary servitude,
6 any other person for any term, or brings within the United
7 States any person so held, shall be fined not more than
8 \$5,000 or imprisoned not more than five years, or both.

9 § 1585. SEIZURE, DETENTION, TRANSPORTATION OR SALE
10 OF SLAVES

11 Whoever, being a citizen or resident of the United
12 States and a member of the crew or ship's company of any
13 foreign vessel engaged in the slave trade, or whoever, being
14 of the crew or ship's company of any vessel owned in
15 whole or in part, or navigated for, or in behalf of, any
16 citizen of the United States, lands from such vessel, and
17 on any foreign shore seizes any person with intent to make
18 that person a slave, or decoys, or forcibly brings, carries,
19 receives, confines, detains or transports any person as a
20 slave on board such vessel, or, on board such vessel, offers
21 or attempts to sell any such person as a slave, or on the
22 high seas or anywhere on tide water, transfers or delivers
23 to any other vessel any such person with intent to make
24 such person a slave, or lands or delivers on shore from
25 such vessel any person with intent to sell, or having pre-

1 viously sold, such person as a slave, shall be fined not more
2 than \$5,000 or imprisoned not more than seven years, or
3 both.

4 § 1586. SERVICE ON VESSELS IN SLAVE TRADE

5 Whoever, being a citizen or resident of the United States,
6 voluntarily serves on board of any vessel employed or made
7 use of in the transportation of slaves from any foreign country
8 or place to another, shall be fined not more than \$2,000 or
9 imprisoned not more than two years, or both.

10 § 1587. POSSESSION OF SLAVES ABOARD VESSEL

11 Whoever, being the captain, master, or commander of
12 any vessel found in any river, port, bay, harbor, or on the
13 high seas within the jurisdiction of the United States, or
14 hovering off the coast thereof, and having on board any per-
15 son for the purpose of selling such person as a slave, or with
16 intent to land such person for such purpose, shall be fined
17 not more than \$10,000 or imprisoned not more than four
18 years, or both.

19 § 1588. TRANSPORTATION OF SLAVES FROM UNITED
20 STATES

21 Whoever, being the master or owner or person having
22 charge of any vessel, receives on board any other person with
23 the knowledge or intent that such person is to be carried
24 from any place within the United States to any other place
25 to be held or sold as a slave, or carries away from any place

1 within the United States any such person with the intent that
 2 he may be so held or sold as a slave, shall be fined not more
 3 than \$5,000 or imprisoned not more than five years, or both.

CHAPTER 79.—PERJURY

Sec.

1621. Perjury generally.

1622. Subornation of perjury.

4 § 1621. PERJURY GENERALLY

5 Whoever, having taken an oath before a competent tri-
 6 bunal, officer, or person, in any case in which a law of the
 7 United States authorizes an oath to be administered, that he
 8 will testify, declare, depose, or certify truly, or that any writ-
 9 ten testimony, declaration, deposition, or certificate by him
 10 subscribed, is true, willfully and contrary to such oath states
 11 or subscribes any material matter which he does not believe
 12 to be true, is guilty of perjury, and shall, except as otherwise
 13 expressly provided by law, be fined not more than \$2,000
 14 or imprisoned not more than five years, or both.

15 § 1622. SUBORNATION OF PERJURY

16 Whoever procures another to commit any perjury is
 17 guilty of subornation of perjury, and shall be fined not more
 18 than \$2,000 or imprisoned not more than five years, or both.

CHAPTER 81.—PIRACY AND PRIVATEERING

Sec.

1651. Piracy under law of nations.

1652. Citizens as pirates.

1653. Aliens as pirates.

1654. Arming or serving on privateers.

1655. Assault on commander as piracy.

1656. Conversion or surrender of vessel.

Sec.

1657. Corruption of seamen and confederating with pirates.

1658. Plunder of distressed vessel.

1659. Attack to plunder vessel.

1660. Receipt of pirate property.

1661. Robbery ashore.

1 § 1651. PIRACY UNDER LAW OF NATIONS

2 Whoever, on the high seas, commits the crime of piracy
3 as defined by the law of nations, and is afterwards brought
4 into or found in the United States, shall be imprisoned for
5 life.

6 § 1652. CITIZENS AS PIRATES

7 Whoever, being a citizen of the United States, commits
8 any murder or robbery, or any act of hostility against the
9 United States, or against any citizen thereof, on the high
10 seas, under color of any commission from any foreign prince,
11 or State, or on pretense of authority from any person, is a
12 pirate, and shall be imprisoned for life.

13 § 1653. ALIENS AS PIRATES

14 Whoever, being a citizen or subject of any foreign State,
15 is found and taken on the sea making war upon the United
16 States, or cruising against the vessels and property thereof,
17 or of the citizens of the same, contrary to the provisions of
18 any treaty existing between the United States and the State
19 of which the offender is a citizen or subject, when by such
20 treaty such acts are declared to be piracy, is a pirate, and
21 shall be imprisoned for life.

1 § 1654. ARMING OR SERVING ON PRIVATEERS

2 Whoever, being a citizen of the United States, without
3 the limits thereof, fits out and arms, or attempts to fit out and
4 arm or is concerned in furnishing, fitting out, or arming any
5 private vessel of war or privateer, with intent that such vessel
6 shall be employed to cruise or commit hostilities upon the
7 citizens of the United States or their property; or

8 Whoever takes the command of or enters on board of any
9 such vessel with such intent; or

10 Whoever purchases any interest in any such vessel with
11 a view to share in the profits thereof—

12 Shall be fined not more than \$10,000 or imprisoned not
13 more than ten years, or both.

14 § 1655. ASSAULT ON COMMANDER AS PIRACY

15 Whoever, being a seaman, lays violent hands upon his
16 commander, to hinder and prevent his fighting in defense of
17 his vessel or the goods intrusted to him, is a pirate, and shall
18 be imprisoned for life.

19 § 1656. CONVERSION OR SURRENDER OF VESSEL

20 Whoever, being a captain or other officer or mariner of a
21 vessel upon the high seas or on any other waters within the
22 admiralty and maritime jurisdiction of the United States.
23 piratically or feloniously runs away with such vessel, or with
24 any goods or merchandise thereof, to the value of \$50 or
25 over; or

1 Whoever yields up such vessel voluntarily to any pirate—

2 Shall be fined not more than \$10,000 or imprisoned not

3 more than ten years, or both.

4 § 1657. CORRUPTION OF SEAMEN AND CONFEDERATING

5 WITH PIRATES

6 Whoever attempts to corrupt any commander, master,

7 officer, or mariner to yield up or to run away with any vessel,

8 or any goods, wares, or merchandise, or to turn pirate or to

9 go over to or confederate with pirates, or in any wise to trade

10 with any pirate, knowing him to be such; or

11 Whoever furnishes such pirate with any ammunition,

12 stores, or provisions of any kind; or

13 Whoever fits out any vessel knowingly and, with a design

14 to trade with, supply, or correspond with any pirate or robber

15 upon the seas; or

16 Whoever consults, combines, confederates, or corresponds

17 with any pirate or robber upon the seas, knowing him to be

18 guilty of any piracy or robbery; or

19 Whoever, being a seaman, confines the master of any

20 vessel—

21 Shall be fined not more than \$1,000 or imprisoned not

22 more than three years, or both.

23 § 1658. PLUNDER OF DISTRESSED VESSEL

24 (a) Whoever plunders, steals, or destroys any money,

25 goods, merchandise, or other effects from or belonging to any

1 vessel in distress, or wrecked, lost, stranded, or cast away,
2 upon the sea, or upon any reef, shoal, bank, or rocks of the
3 sea, or in any other place within the admiralty and maritime
4 jurisdiction of the United States, shall be fined not more than
5 \$5,000 or imprisoned not more than ten years, or both.

6 (b) Whoever willfully obstructs the escape of any per-
7 son endeavoring to save his life from such vessel, or the wreck
8 thereof; or

9 Whoever holds out or shows any false light, or extin-
10 guishes any true light, with intent to bring any vessel sailing
11 upon the sea into danger or distress or shipwreck—

12 Shall be imprisoned not less than ten years and may be
13 imprisoned for life.

14 § 1659. ATTACK TO PLUNDER VESSEL

15 Whoever, upon the high seas or other waters within
16 the admiralty and maritime jurisdiction of the United States,
17 by surprise or open force, maliciously attacks or sets upon
18 any vessel belonging to another, with an intent unlawfully
19 to plunder the same, or to despoil any owner thereof of any
20 moneys, goods, or merchandise laden on board thereof, shall
21 be fined not more than \$5,000 or imprisoned not more than
22 ten years, or both.

23 § 1660. RECEIPT OF PIRATE PROPERTY

24 Whoever, without lawful authority, receives or takes
25 into custody any vessel, goods, or other property, feloniously

1 taken by any robber or pirate against the laws of the United
 2 States, knowing the same to have been feloniously taken,
 3 shall be imprisoned not more than ten years.

4 § 1661. ROBBERY ASHORE

5 Whoever, being engaged in any piratical cruise or enter-
 6 prise, or being of the crew of any piratical vessel, lands from
 7 such vessel and commits robbery on shore, is a pirate, and
 8 shall be imprisoned for life.

CHAPTER 83.—POSTAL SERVICE

Sec.

- 1691. Laws governing postal savings.
- 1692. Foreign mail as United States mail.
- 1693. Carriage of mail generally.
- 1694. Carriage of matter out of mail over post routes.
- 1695. Carriage of matter out of mail on vessels.
- 1696. Private express for letters and packets.
- 1697. Transportation of persons acting as private express.
- 1698. Prompt delivery of mail from vessel.
- 1699. Certification of delivery from vessel.
- 1700. Desertion of mails.
- 1701. Obstruction of mails generally.
- 1702. Obstruction of correspondence.
- 1703. Delay or destruction of mail or newspapers.
- 1704. Keys or locks stolen or reproduced.
- 1705. Destruction of letter boxes or mail.
- 1706. Injury to mail bags.
- 1707. Theft of property used by Postal Service.
- 1708. Theft or receipt of stolen mail matter generally.
- 1709. Theft of mail matter by postmaster or employee.
- 1710. Theft of newspapers.
- 1711. Misappropriation of postal funds.
- 1712. Falsification of postal returns to increase compensation.
- 1713. Issuance of money orders without payment.
- 1714. Foreign divorce information as nonmailable.
- 1715. Firearms as nonmailable; regulations.
- 1716. Injurious articles as nonmailable.
- 1717. Letters and writings as nonmailable; opening letters.
- 1718. Libelous matter on wrappers or envelopes.
- 1719. Franking privilege.
- 1720. Canceled stamps and envelopes.
- 1721. Sale or pledge of stamps.
- 1722. False evidence to secure second-class rate.
- 1723. Avoidance of postage by using lower class matter.

Sec.

1724. Postage on mail delivered by foreign vessels.

1725. Postage unpaid on deposited mail matter.

1726. Postage collected unlawfully.

1727. Postage accounting.

1728. Weight of mail increased fraudulently.

1729. Post office conducted without authority.

1730. Uniforms of carriers.

1731. Vehicles falsely labeled as carriers.

1732. Approval of bond or sureties by postmaster.

1 § 1691. LAWS GOVERNING POSTAL SAVINGS

2 All the safeguards provided by law for the protection
3 of public moneys, and all statutes relating to the embezzle-
4 ment, conversion, improper handling, retention, use, or
5 disposal of postal and money-order funds, false returns of
6 postal and money-order business, forgery, counterfeiting,
7 alteration, improper use or handling of postal and money-
8 order blanks, forms, vouchers, accounts, and records, and the
9 dies, plates, and engravings therefor, with the punishments
10 provided for such offenses are extended and made applicable
11 to postal savings depository business and funds and related
12 matters.

13 § 1692. FOREIGN MAIL AS UNITED STATES MAIL

14 Every foreign mail, while being transported across the
15 territory of the United States under authority of law, is
16 mail of the United States, and any depredation thereon, or
17 offense in respect thereto, shall be punishable as though it
18 were United States mail.

1 § 1693. CARRIAGE OF MAIL GENERALLY

2 Whoever, being concerned in carrying the mail, col-
3 lects, receives, or carries any letter or packet, contrary to
4 law, shall be fined not more than \$50 or imprisoned not
5 more than thirty days, or both.

6 § 1694. CARRIAGE OF MATTER OUT OF MAIL OVER POST
7 ROUTES

8 Whoever, having charge or control of any conveyance
9 operating by land, air, or water, which regularly performs
10 trips at stated periods on any post route, or from one place to
11 another between which the mail is regularly carried, carries,
12 otherwise than in the mail, any letters or packets, except such
13 as relate to some part of the cargo of such conveyance, or to
14 the current business of the carrier, or to some article carried
15 at the same time by the same conveyance, shall, except as
16 otherwise provided by law, be fined not more than \$50.

17 § 1695. CARRIAGE OF MATTER OUT OF MAIL ON VESSELS

18 Whoever carries any letter or packet on board any vessel
19 which carries the mail, otherwise than in such mail, shall,
20 except as otherwise provided by law, be fined not more than
21 \$50 or imprisoned not more than thirty days, or both.

1 § 1696. PRIVATE EXPRESS FOR LETTERS AND PACKETS

2 (a) Whoever establishes any private express for the
3 conveyance of letters or packets, or in any manner causes or
4 provides for the conveyance of the same by regular trips or at
5 stated periods over any post route which is or may be estab-
6 lished by law, or from any city, town, or place to any other
7 city, town, or place, between which the mail is regularly car-
8 ried, shall be fined not more than \$500 or imprisoned not
9 more than six months, or both.

10 This section shall not prohibit any person from receiving
11 and delivering to the nearest post office, postal car, or other
12 authorized depository for mail matter any mail matter prop-
13 erly stamped.

14 (b) Whoever transmits by private express or other
15 unlawful means, or delivers to any agent thereof, or deposits
16 at any appointed place, for the purpose of being so trans-
17 mitted any letter or packet, shall be fined not more than \$50.

18 (c) This chapter shall not prohibit the conveyance or
19 transmission of letters or packets by private hands without
20 compensation, or by special messenger employed for the
21 particular occasion only. Whenever more than twenty-five
22 such letters or packets are conveyed or transmitted by such
23 special messenger, the requirements of section 500 of Title 39,
24 shall be observed as to each piece.

1 § 1697. TRANSPORTATION OF PERSONS ACTING AS PRI-
2 VATE EXPRESS

3 Whoever, having charge or control of any conveyance
4 operating by land, air, or water, knowingly conveys or know-
5 ingly permits the conveyance of any person acting or em-
6 ployed as a private express for the conveyance of letters or
7 packets, and actually in possession of the same for the pur-
8 pose of conveying them contrary to law, shall be fined not
9 more than \$150.

10 § 1698. PROMPT DELIVERY OF MAIL FROM VESSEL

11 Whoever, having charge or control of any vessel pass-
12 ing between ports or places in the United States, and arriv-
13 ing at any such port or place where there is a post office,
14 fails to deliver to the postmaster or at the post office, within
15 three hours after his arrival, if in the daytime, and if at
16 night, within two hours after the next sunrise, all letters and
17 packages brought by him or within his power or control and
18 not relating to the cargo, addressed to or destined for such
19 port or place, shall be fined not more than \$150.

20 For each letter or package so delivered he shall receive
21 two cents unless the same is carried under contract.

22 § 1699. CERTIFICATION OF DELIVERY FROM VESSEL

23 No vessel arriving within a port or collection district
24 of the United States shall be allowed to make entry or break
25 bulk until all letters on board are delivered to the nearest

1 post office, and the master or other person having charge or
 2 control thereof has signed and sworn to the following declara-
 3 tion before the collector or other proper customs officer:

4 I, A. B., master ———, of the ———, arriving from
 5 ———, and now lying in the port of ———, do solemnly
 6 swear (or affirm) that I have to the best of my knowledge
 7 and belief delivered to the post office at ——— every letter
 8 and every bag, packet, or parcel of letters on board the said
 9 vessel during her last voyage, or in my possession or under
 10 my power or control.

11 Whoever, being the master or other person having charge
 12 or control of such vessel, breaks bulk before he has delivered
 13 such letters, shall be fined not more than \$100.

14 § 1700. DESERTION OF MAILS

15 Whoever, having taken charge of any mail, voluntarily
 16 quits or deserts the same before he has delivered it into the
 17 post office at the termination of the route, or to some known
 18 mail carrier, messenger, agent, or other employee in the
 19 Postal Service authorized to receive the same, shall be fined
 20 not more than \$500 or imprisoned not more than one year,
 21 or both.

22 § 1701. OBSTRUCTION OF MAILS GENERALLY

23 Whoever knowingly and willfully obstructs or retards the
 24 passage of the mail, or any carrier or conveyance carrying the

1 mail, shall be fined not more than \$100 or imprisoned not
2 more than six months, or both.

3 § 1702. OBSTRUCTION OF CORRESPONDENCE

4 Whoever takes any letter, postal card, or package out of
5 any post office or any authorized depository for mail matter,
6 or from any letter or mail carrier, or which has been in any
7 post office or authorized depository, or in the custody of any
8 letter or mail carrier, before it has been delivered to the per-
9 son to whom it was directed, with design to obstruct the
10 correspondence, or to pry into the business or secrets of an-
11 other, or opens, secretes, embezzles, or destroys the same,
12 shall be fined not more than \$2,000 or imprisoned not more
13 than five years, or both.

14 § 1703. DELAY OR DESTRUCTION OF MAIL OR NEWSPAPERS

15 (a) Whoever, being a postmaster or Postal Service
16 employee, unlawfully detains, delays, or opens any letter,
17 postal card, package, bag, or mail intrusted to him or which
18 shall come into his possession, and which was intended to be
19 conveyed by mail, or carried or delivered by any carrier or
20 other employee of the Postal Service, or forwarded through
21 or delivered from any post office or station thereof established
22 by authority of the Postmaster General; or secretes, or de-
23 stroys any such letter, postal card, package, bag, or mail,

1 shall be fined not more than \$500 or imprisoned not more
2 than five years, or both.

3 (b) Whoever, being a postmaster or Postal Service
4 employee, improperly detains, delays, or destroys any news-
5 paper, or permits any other person to detain, delay, or destroy
6 the same, or opens, or permits any other person to open, any
7 mail or package of newspapers not directed to the office where
8 he is employed; or

9 Whoever, without authority, opens, or destroys any mail
10 or package of newspaper not directed to him, shall be fined
11 not more than \$100 or imprisoned not more than one year
12 or both.

13 § 1704. KEYS OR LOCKS STOLEN OR REPRODUCED

14 Whoever steals, purloins, embezzles, or obtains by false
15 pretense any key suited to any lock adopted by the Post
16 Office Department and in use on any of the mails or bags
17 thereof, or any key to any lock box, lock drawer, or other
18 authorized receptacle for the deposit or delivery of mail
19 matter; or

20 Whoever knowingly and unlawfully makes, forges, or
21 counterfeits any such key, or possesses any such mail lock
22 or key with the intent unlawfully or improperly to use, sell,
23 or otherwise dispose of the same, or to cause the same to be
24 unlawfully or improperly used, sold, or otherwise disposed
25 of; or

1 Whoever, being engaged as a contractor or otherwise in
 2 the manufacture of any such mail lock or key, delivers any
 3 finished or unfinished lock or the interior part thereof, or
 4 key, used or designed for use by the department, to any
 5 person not duly authorized under the hand of the Postmaster
 6 General and the seal of the Post Office Department, to receive
 7 the same, unless the person receiving it is the contractor for
 8 furnishing the same or engaged in the manufacture thereof
 9 in the manner authorized by the contract, or the agent of
 10 such manufacturer—

11 Shall be fined not more than \$500 or imprisoned not
 12 more than ten years, or both.

13 § 1705. · DESTRUCTION OF LETTER BOXES OR MAIL

14 Whoever, having charge or control of any conveyance
 15 destroys any letter box or other receptacle intended or used
 16 for the receipt or delivery of mail on any mail route, or breaks
 17 open the same, or willfully or maliciously injures, defaces,
 18 or destroys any mail deposited therein, shall be fined not
 19 more than \$1,000 or imprisoned not more than three years.

20 § 1706. INJURY TO MAIL BAGS

21 Whoever tears, cuts, or otherwise injures any mail bag,
 22 pouch, or other thing used or designed for use in the con-
 23 veyance of the mail, or draws or breaks any staple or loosens
 24 any part of any lock, chain, or strap attached thereto, with
 25 intent to rob or steal any such mail, or, to render the same

1 insecure, shall be fined not more than \$1,000 or imprisoned
2 not more than three years, or both.

3 § 1707. THEFT OF PROPERTY USED BY POSTAL SERVICE

4 Whoever steals, purloins, or embezzles any property
5 used by the Post Office Department, or appropriates any
6 such property to his own or any other than its proper use,
7 or conveys away any such property to the hindrance or
8 detriment of the public service, shall be fined not more than
9 \$1,000 or imprisoned not more than three years, or both;
10 but if the value of such property does not exceed \$100, he
11 shall be fined not more than \$500 or imprisoned not more
12 than one year, or both.

13 § 1708. THEFT OR RECEIPT OF STOLEN MAIL MATTER GEN-

14 ERALLY

15 Whoever steals, takes, or abstracts, or by fraud or decep-
16 tion obtains, or attempts so to obtain, from or out of any mail,
17 post office, or station thereof, letter box, mail receptacle, or
18 any mail route or other authorized depository for mail matter,
19 or from a letter or mail carrier, any letter, postal card, pack-
20 age, bag, or mail, or abstracts or removes from any such
21 letter, package, bag, or mail, any article or thing contained
22 therein, or secretes, embezzles, or destroys any such letter,
23 postal card, package, bag, or mail, or any article or thing
24 contained therein; or

25 Whoever steals, takes, or abstracts, or by fraud or decep-

1 tion obtains any letter, postal card, package, bag, or mail, or
2 any article or thing contained therein which has been left
3 for collection upon or adjacent to a collection box or other
4 authorized depository of mail matter; or

5 Whoever buys, receives, or conceals, or unlawfully has in
6 his possession, any letter, postal card, package, bag, or mail,
7 or any article or thing contained therein, which has been so
8 stolen, taken, embezzled, or abstracted, as herein described,
9 knowing the same to have been stolen, taken, embezzled, or
10 abstracted—

11 Shall be fined not more than \$2,000 or imprisoned not
12 more than five years, or both; but if the value or face value
13 of any such article or thing does not exceed \$100, he shall be
14 fined not more than \$1,000 or imprisoned not more than one
15 year, or both.

16 § 1709. THEFT OF MAIL MATTER BY POSTMASTER OR
17 EMPLOYEE

18 Whoever, being a postmaster or Postal Service em-
19 ployee, embezzles any letter, postal card, package, bag, or
20 mail or any article or thing contained therein intrusted to
21 him or which comes into his possession intended to be con-
22 veyed by mail, or carried or delivered by any carrier, mes-
23 senger, agent, or other person employed in any department
24 of the Postal Service, or forwarded through or delivered from
25 any post office or station thereof established by authority of

1 the Postmaster General; or steals, abstracts, or removes from
2 any such letter, package, bag, or mail, any article or thing
3 contained therein, shall be fined not more than \$2,000 or
4 imprisoned not more than five years, or both.

5 § 1710. THEFT OF NEWSPAPERS

6 Whoever, being a postmaster or Postal Service em-
7 ployee, takes or steals any newspaper or package of news-
8 papers from any post office or from any person having
9 custody thereof, shall be fined not more than \$100 or im-
10 prisoned not more than one year, or both.

11 § 1711. MISAPPROPRIATION OF POSTAL FUNDS

12 Whoever, being a postmaster or Postal Service employee,
13 loans, uses, pledges, hypothecates, or converts to his own use,
14 or deposits in any bank, or exchanges for other funds or
15 property, except as authorized by law, any money or prop-
16 erty coming into his hands or under his control in any man-
17 ner, in the execution or under color of his office, employment,
18 or service, whether or not the same shall be the money or
19 property of the United States; or fails or refuses to remit to
20 or deposit in the Treasury of the United States or in a
21 designated depository, or to account for or turn over to the
22 proper officer or agent, any such money or property, when
23 required to do so by law or the regulations of the Post Office
24 Department, or upon demand or order of the Postmaster
25 General, either directly or through a duly authorized officer

1 or agent, is guilty of embezzlement; and every such person,
2 as well as every other person advising or knowingly partici-
3 pating therein, shall be fined in a sum equal to the amount
4 or value of the money or property embezzled or imprisoned
5 not more than ten years, or both; but if the amount or value
6 thereof does not exceed \$100, he shall be fined not more
7 than \$1,000 or imprisoned not more than one year, or both.

8 This section shall not prohibit any postmaster from de-
9 positing, under the direction of the Postmaster General, in a
10 national bank designated by the Secretary of the Treasury
11 for that purpose, to his own credit as postmaster, any funds
12 in his charge, nor prevent his negotiating drafts or other evi-
13 dences of debt through such bank, or through United States
14 disbursing officers, or otherwise, when instructed or required
15 so to do by the Postmaster General, for the purpose of remit-
16 ting surplus funds from one post office to another.

17 § 1712. FALSIFICATION OF POSTAL RETURNS TO INCREASE
18 COMPENSATION

19 Whoever, being a postmaster or Postal Service em-
20 ployee, makes a false return, statement, or account to any
21 officer of the United States, or makes a false entry in any
22 record, book, or account, required by law or the rules or
23 regulations of the Post Office Department to be kept in
24 respect of the business or operations of any post office or
25 other branch of the Postal Service, for the purpose of fraud-

1 ulently increasing his compensation or the compensation of
2 the postmaster or any employee in a post office; or

3 Whoever, being a postmaster or employee in any post
4 office or station thereof, for the purpose of increasing the
5 emoluments or compensation of his office, induces, or attempts
6 to induce, any person to deposit mail matter in, or forward
7 in any manner for mailing at, the office where such post-
8 master or other person is employed, knowing such matter
9 to be properly mailable at another post office—

10 Shall be fined not more than \$500 or imprisoned not
11 more than two years, or both.

12 § 1713. ISSUANCE OF MONEY ORDERS WITHOUT PAY-
13 MENT

Whoever, being a postmaster or other person employed in any branch of the Postal Service, issues a money order without having previously received the money therefor, shall be fined not more than \$500.

18 § 1714. FOREIGN DIVORCE INFORMATION AS NONMAIL-
19 ABLE

Every written or printed card, circular, letter, book, pamphlet, advertisement, or notice of any kind, giving or offering to give information concerning where or how or through whom a divorce may be secured in a foreign country, and designed to solicit business in connection with the procurement thereof, is nonmailable matter and shall not be

1 conveyed in the mails or delivered from any post office or
2 by any letter carrier.

3 Whoever knowingly deposits, for mailing or delivery,
4 anything declared by this section to be nonmailable, or
5 knowingly takes the same from the mails for the purpose
6 of circulating or disposing thereof, shall be fined not more
7 than \$5,000 or imprisoned for not more than one year, or
8 both.

9 § 1715. FIREARMS AS NONMAILABLE; REGULATIONS

10 Pistols, revolvers, and other firearms capable of being
11 concealed on the person are nonmailable and shall not be de-
12 posited in or carried by the mails or delivered by any post-
13 master, letter carrier, or other person in the Postal Service.
14 Such articles may be conveyed in the mails, under such regu-
15 lations as the Postmaster General shall prescribe, for use in
16 connection with their official duty, to officers of the Army,
17 Navy, Coast Guard, Marine Corps, or Officers' Reserve
18 Corps; to officers of the National Guard or Militia of a State,
19 Territory, or District; to officers of the United States or of a
20 State, Territory, or District whose official duty is to serve
21 warrants of arrest or commitments; to employees of the Postal
22 Service; to officers and employees of enforcement agencies of
23 the United States; and to watchmen engaged in guarding the
24 property of the United States, a State, Territory, or District.
25 Such articles also may be conveyed in the mails to manufac-

1 turers of firearms or bona fide dealers therein in customary
2 trade shipments, including such articles for repairs or replace-
3 ment of parts, from one to the other, under such regulations as
4 the Postmaster General shall prescribe.

5 Whoever knowingly deposits for mailing or delivery, or
6 knowingly causes to be delivered by mail according to the
7 direction thereon, or at any place to which it is directed to be
8 delivered by the person to whom it is addressed, any pistol,
9 revolver, or firearm declared nonmailable by this section, shall
10 be fined not more than \$1,000 or imprisoned not more than
11 two years, or both.

12 § 1716. INJURIOUS ARTICLES AS NONMAILABLE

13 All kinds of poison, and all articles and compositions con-
14 taining poison, and all poisonous animals, insects, and reptiles,
15 and all explosives, inflammable materials, infernal machines,
16 and mechanical, chemical, or other devices or compositions
17 which may ignite or explode, and all disease germs or scabs,
18 and all other natural or artificial articles, compositions, or ma-
19 terial which may kill or injure another, or injure the mails
20 or other property, whether or not sealed as first-class matter,
21 are nonmailable matter and shall not be conveyed in the mails
22 or delivered from any post office or station thereof, nor by any
23 letter carrier.

24 The Postmaster General may permit the transmission
25 in the mails, under such rules and regulations as he shall

1 prescribe as to preparation and packing, of any such articles
2 which are not outwardly or of their own force dangerous or
3 injurious to life, health, or property.

4 The transmission in the mails of poisonous drugs and
5 medicines may be limited by the Postmaster General to ship-
6 ments of such articles from the manufacturer thereof or
7 dealer therein to licensed physicians, surgeons, dentists,
8 pharmacists, druggists, cosmetologists, barbers, and veteri-
9 narians, under such rules and regulations as he shall pre-
10 scribe.

11 All spirituous, vinous, malted, fermented, or other intoxi-
12 cating liquors of any kind are nonmailable and shall not be
13 deposited in or carried through the mails.

14 Whoever knowingly deposits for mailing or delivery,
15 or knowingly causes to be delivered by mail, according to
16 the direction thereon, or at any place at which it is directed
17 to be delivered by the person to whom it is addressed, any-
18 thing declared nonmailable by this section, unless in accord-
19 ance with the rules and regulations authorized to be pre-
20 scribed by the Postmaster General, shall be fined not more
21 than \$1,000 or imprisoned not more than two years, or
22 both.

23 Whoever knowingly deposits for mailing or delivery,
24 or knowingly causes to be delivered by mail, according to
25 the direction thereon or at any place to which it is directed

1 to be delivered by the person to whom it is addressed, any-
2 thing declared nonmailable by this section, whether or not
3 transmitted in accordance with the rules and regulations
4 authorized to be prescribed by the Postmaster General, with
5 intent to kill or injure another, or injure the mails or other
6 property, shall be fined not more than \$10,000 or impris-
7 oned not more than ten years, or both.

8 § 1717. LETTERS AND WRITINGS AS NONMAILABLE;
9 OPENING LETTERS

10 (a) Every letter, writing, circular, postal card, picture,
11 print, engraving, photograph, newspaper, pamphlet, book,
12 or other publication, matter or thing, in violation of sections
13 499, 506, 793, 794, 915, 954, 956, 957, 960, 964, 1017,
14 1542, 1543, 1544 or 2388 of this title or which contains any
15 matter advocating or urging treason, insurrection, or forcible
16 resistance to any law of the United States is nonmailable
17 and shall not be conveyed in the mails or delivered from any
18 post office or by any letter carrier.

19 (b) Whoever uses or attempts to use the mails or Postal
20 Service of the United States for the transmission of any mat-
21 ter declared by this section to be nonmailable, shall be fined
22 not more than \$5,000 or imprisoned not more than ten years
23 or both.

24 (c) No person other than a duly authorized employee

1 of the Dead Letter Office, or other person upon a search war-
2 rant authorized by law, shall open any letter not addressed
3 to himself.

4 § 1718. LIBELOUS MATTER ON WRAPPERS OR ENVELOPES

5 All matter otherwise mailable by law, upon the envelope
6 or outside cover or wrapper of which, or any postal card
7 upon which is written or printed or otherwise impressed or
8 apparent any delineation, epithet, term, or language of libel-
9 ous, scurrilous, defamatory, or threatening character, or calcu-
10 lated by the terms or manner or style of display and obviously
11 intended to reflect injuriously upon the character or conduct
12 of another, is nonmailable matter, and shall not be conveyed
13 in the mails nor delivered from any post office nor by any
14 letter carrier, and shall be withdrawn from the mails under
15 such regulations as the Postmaster General shall prescribe.

16 Whoever knowingly deposits for mailing or delivery,
17 anything declared by this section to be nonmailable matter,
18 or knowingly takes the same from the mails for the purpose
19 of circulating or disposing of or aiding in the circulation or
20 disposition of the same, shall be fined not more than \$1,000
21 or imprisoned not more than one year, or both.

22 § 1719. FRANKING PRIVILEGE

23 Whoever makes use of any official envelope, label,
24 or indorsement authorized by law, to avoid the pay-

1 ment of postage or registry fee on his private letter, packet,
2 package, or other matter in the mail, shall be fined not more
3 than \$300.

4 § 1720. CANCELED STAMPS AND ENVELOPES

5 Whoever uses or attempts to use in payment of postage,
6 any canceled postage stamp, whether the same has been
7 used or not, or removes, attempts to remove, or assists in
8 removing, the canceling or defacing marks from any postage
9 stamp, or the superscription from any stamped envelope, or
10 postal card, that has once been used in payment of postage,
11 with the intent to use the same for a like purpose, or to sell
12 or offer to sell the same, or knowingly possesses any such
13 postage stamp, stamped envelope, or postal card, with intent
14 to use the same or knowingly sells or offers to sell any such
15 postage stamp, stamped envelope, or postal card, or uses
16 or attempts to use the same in payment of postage; or

17 Whoever unlawfully and willfully removes from any
18 mail matter any stamp attached thereto in payment of
19 postage; or

20 Whoever knowingly uses in payment of postage, any
21 postage stamp, postal card, or stamped envelope, issued in
22 pursuance of law, which has already been used for a like
23 purpose—

24 Shall be fined not more than \$500 or imprisoned not
25 more than one year, or both; but if he is a person employed

1 in the Postal Service, he shall be fined not more than \$500
2 or imprisoned not more than three years, or both.

3 § 1721. SALE OR PLEDGE OF STAMPS

4 Whoever, being a postmaster or Postal Service employee
5 entrusted with the sale or custody of postage stamps, stamped
6 envelopes, or postal cards, uses or disposes of them in the
7 payment of debts, or in the purchase of merchandise or
8 other salable articles, or pledges or hypothecates the same,
9 or sells or disposes of them except for cash; or sells or dis-
10 poses of postage stamps or postal cards for any larger or
11 less sum than the values indicated on their faces; or sells
12 or disposes of stamped envelopes for a larger or less sum
13 than is charged therefor by the Post Office Department for
14 like quantities; or sells or disposes of postage stamps, stamped
15 envelopes, or postal cards at any point or place outside of
16 the delivery of the office where such postmaster or other
17 person is employed; or for the purpose of increasing the
18 emoluments, or compensation of the postmaster or any em-
19 ployee of a post office or station thereof, or the allowances
20 or facilities provided therefor, induces or attempts to induce
21 any person to purchase at such post office or any station
22 thereof, or from any employee of such post office, postage
23 stamps, stamped envelopes, or postal cards; or sells or
24 disposes of postage stamps, stamped envelopes, or postal
25 cards, otherwise than as provided by law or the regulations

1 of the Post Office Department, shall be fined not more than
2 \$500 or imprisoned not more than one year, or both.

3 § 1722. FALSE EVIDENCE TO SECURE SECOND-CLASS RATE

4 Whoever knowingly submits to any postmaster or to the
5 Post Office Department or any officer of the Postal Service,
6 any false evidence relative to any publication for the purpose
7 of securing the admission thereof at the second-class rate, for
8 transportation in the mails, shall be fined not more than \$500.

9 § 1723. AVOIDANCE OF POSTAGE BY USING LOWER CLASS

10 MATTER

11 Matter of the second, third, or fourth class containing
12 any writing or printing in addition to the original matter,
13 other than as authorized by law, shall not be admitted to the
14 mails, nor delivered, except upon payment of postage for
15 matter of the first class, deducting therefrom any amount
16 which may have been prepaid by stamps affixed, unless by
17 direction of the Postmaster General such postage shall be
18 remitted.

19 Whoever knowingly conceals or incloses any matter of a
20 higher class in that of a lower class, and deposits the same
21 for conveyance by mail, at a less rate than would be charged
22 for such higher class matter, shall be fined not more than
23 \$100.

1 § 1724. POSTAGE ON MAIL DELIVERED BY FOREIGN
2 VESSELS

3 All letters or other mailable matter conveyed to or from
4 any part of the United States by any foreign vessel, except
5 such sealed letters relating to such vessel or any part of the
6 cargo thereof as may be directed to the owners or consignees
7 of the vessel, shall be subject to postage charge, whether
8 addressed to any person in the United States or elsewhere,
9 provided they are conveyed by the packet or other ship of a
10 foreign country imposing postage on letters or other mailable
11 matter conveyed to or from such country by any vessel of
12 the United States; and such letters or other mailable matter
13 carried in foreign vessels, except such sealed letters relating
14 to the vessel or any part of the cargo thereof as may be
15 directed to the owners or consignees, shall be delivered into
16 the United States post office by the master or other person
17 having charge or control of such vessel when arriving, and
18 be taken from the United States post office when departing,
19 and the postage justly chargeable by law paid thereon; and
20 for refusing or failing to do so, or for conveying such letters
21 or other mailable matter, or any letters or other mailable
22 matter, intended to be conveyed in any vessel of such foreign
23 country, over or across the United States, or any portion

1 thereof, the party offending shall be fined not more than
2 \$1,000.

3 Except as otherwise provided by treaty or convention
4 the Postmaster General may require the transportation by
5 any steamships of mail between the United States and any
6 foreign port at the compensation fixed under authority of law.
7 Upon refusal by the master or the commander of such steam-
8 ship or vessel to accept the mail, when tendered by the Post-
9 master General or his representative, the collector or other
10 officer of the port empowered to grant clearance, on notice
11 of the refusal aforesaid, shall withhold clearance until the
12 collector or other officer of the port is informed by the Post-
13 master General or his representative that the master or com-
14 mander of the steamship or vessel has accepted the mail or
15 that conveyance by his steamship or vessel is no longer
16 required by the Postmaster General.

17 § 1725. POSTAGE UNPAID ON DEPOSITED MAIL MATTER

18 Whoever knowingly and willfully deposits anyailable
19 matter such as statements of accounts, circulars, sale bills,
20 or other like matter, on which no postage has been paid,
21 in any letter box established, approved, or accepted by the
22 Postmaster General for the receipt or delivery of mail matter
23 on any mail route with intent to avoid payment of lawful
24 postage thereon, shall for each such offense be fined not
25 more than \$300.

1 § 1726. POSTAGE COLLECTED UNLAWFULLY

2 Whoever, being a postmaster or other person authorized
3 to receive the postage of mail matter, fraudulently demands
4 or receives any rate of postage or gratuity or reward other
5 than is provided by law for the postage of such mail matter,
6 shall be fined not more than \$100 or imprisoned not more
7 than six months, or both.

8 § 1727. POSTAGE ACCOUNTING

9 Whoever, being a postmaster or other person engaged
10 in the Postal Service, collects and fails to account for the
11 postage due upon any article of mail matter which he may
12 deliver, without having previously affixed and canceled the
13 special stamp provided by law, or fails to affix such stamp,
14 shall be fined not more than \$50.

15 § 1728. WEIGHT OF MAIL INCREASED FRAUDULENTLY

16 Whoever places any matter in the mails during the
17 regular weighing period, for the purpose of increasing the
18 weight of the mail, with intent to cause an increase in the
19 compensation of the railroad mail carrier over whose route
20 such mail may pass, shall be fined not more than \$20,000
21 or imprisoned not more than five years, or both.

22 § 1729. POST OFFICE CONDUCTED WITHOUT AUTHORITY

23 Whoever, without authority from the Postmaster Gen-
24 eral, sets up or professes to keep any office or place of busi-

1 ness bearing the sign, name, or title of post office, shall be
2 fined not more than \$500.

3 § 1730. UNIFORMS OF CARRIERS

4 Whoever, not being connected with the letter-carrier
5 branch of the Postal Service, wears the uniform or badge
6 which may be prescribed by the Postmaster General to
7 be worn by letter carriers, shall be fined not more than
8 \$100 or imprisoned not more than six months, or both.

9 § 1731. VEHICLES FALSELY LABELED AS CARRIERS

10 It shall be unlawful to paint, print, or in any manner
11 to place upon or attach to any steamboat or other vessel,
12 or any car, stagecoach, vehicle, or other conveyance, not
13 actually used in carrying the mail, the words "United
14 States Mail", or any words, letters, or characters of like
15 import; or to give notice, by publishing in any news-
16 paper or otherwise, that any steamboat or other vessel,
17 or any car, stagecoach, vehicle, or other conveyance, is
18 used in carrying the mail, when the same is not actually
19 so used.

20 Whoever violates, and every owner, receiver, lessee,
21 or managing operator who suffers, or permits the viola-
22 tion of, any provision of this section, shall be fined not more
23 than \$500 or imprisoned not more than six months, or both.

24 § 1732. APPROVAL OF BOND OR SURETIES BY POSTMASTER

25 Whoever, being a postmaster, affixes his signature to

1 the approval of any bond of a bidder, or to the certificate
 2 of sufficiency of sureties in any contract, before the said
 3 bond or contract is signed by the bidder or contractor and
 4 his sureties, or knowingly, or without the exercise of due
 5 diligence, approves any bond of a bidder with insufficient
 6 sureties, or knowingly makes any false or fraudulent cer-
 7 tificate, shall be fined not more than \$5,000 or imprisoned
 8 not more than one year, or both; and shall be dismissed
 9 from office and disqualified from holding the office of post-
 10 master.

CHAPTER 85.—PRISON-MADE GOODS

Sec.

1761. Transportation or importation.

1762. Marking packages.

11 § 1761. TRANSPORTATION OR IMPORTATION

12 (a) Whoever knowingly transports in interstate com-
 13 merce or from any foreign country into the United States
 14 any goods, wares, or merchandise manufactured, produced,
 15 or mined, wholly or in part by convicts or prisoners, except
 16 convicts or prisoners on parole or probation, or in any penal
 17 or reformatory institution, shall be fined not more than
 18 \$1,000 or imprisoned not more than one year, or both.

19 (b) This chapter shall not apply to agricultural com-
 20 modities or parts for the repair of farm machinery, nor to
 21 commodities manufactured in a Federal, District of Columbia,
 22 or State institution for use by the Federal Government, or

1 by the District of Columbia, or by any State or Political
2 subdivision of a State.

3 § 1762. MARKING PACKAGES

4 (a) All packages containing any goods, wares, or
5 merchandise manufactured, produced, or mined wholly or
6 in part by convicts or prisoners, except convicts or prisoners
7 on parole or probation, or in any penal or reformatory
8 institution, when shipped or transported in interstate or
9 foreign commerce shall be plainly and clearly marked, so
10 that the name and address of the shipper, the name and
11 address of the consignee, the nature of the contents, and
12 the name and location of the penal or reformatory institu-
13 tion where produced wholly or in part may be readily
14 ascertained on an inspection of the outside of such package.

15 (b) Whoever violates this section shall be fined not
16 more than \$1,000, and any goods, wares, or merchandise
17 transported in violation of this section or section 1761 of
18 this title shall be forfeited to the United States, and may
19 be seized and condemned by like proceedings as those pro-
20 vided by law for the seizure and forfeiture of property
21 imported into the United States contrary to law.

CHAPTER 87.—PRISONS

Sec.

1791. Traffic in contraband articles.

1792. Mutiny, riot, dangerous instrumentalities prohibited.

1 § 1791. TRAFFIC IN CONTRABAND ARTICLES

2 Whoever, contrary to any rule or regulation promulgated
3 by the Attorney General, introduces or attempts to introduce
4 into or upon the grounds of any Federal penal or correctional
5 institution or takes or attempts to take or send therefrom
6 any thing whatsoever, shall be imprisoned not more than
7 ten years.

8 § 1792. MUTINY, RIOT, DANGEROUS INSTRUMENTALITIES

9 PROHIBITED

10 Whoever instigates, connives, willfully attempts to cause,
11 assists, or conspires to cause any mutiny or riot, at any
12 Federal penal or correctional institution, or without the
13 knowledge or consent of the warden or superintendent, con-
14 veys into such institution, or from place to place therein
15 any tool, device, or substance designed to cut, abrade, or
16 destroy the materials, or any part thereof, of which any
17 building of such institution is constructed, or any other sub-
18 stance or thing designed to injure or destroy any building,
19 or any part thereof, of such institution; or

20 Whoever conveys into such institution, or from place
21 to place therein, any firearm, weapon, explosive, or any
22 lethal or poisonous gas, or any other substance or thing

1 designed to kill, injure, or disable any officer, agent, em-
 2 ployee, or inmate thereof, or conspires so to do—

3 Shall be imprisoned not more than ten years.

CHAPTER 89.—PROFESSIONS AND OCCUPATIONS

Sec.

1821. Transportation of dentures.

4 § 1821. TRANSPORTATION OF DENTURES

5 Whoever transports by mail or otherwise to or within the
 6 District of Columbia, the Canal Zone or any Possession of the
 7 United States or uses the mails or any instrumentality of
 8 interstate commerce for the purpose of sending or bringing
 9 into any State or Territory any set of artificial teeth or pros-
 10 thetic dental appliance or other denture, constructed from any
 11 cast or impression made by any person other than, or without
 12 the authorization or prescription of, a person licensed to prac-
 13 tice dentistry under the laws of the place into which such
 14 denture is sent or brought, where such laws prohibit;

15 (1) the taking of impressions or casts of the human
 16 mouth or teeth by a person not licensed under such laws to
 17 practice dentistry;

18 (2) the construction or supply of dentures by a person
 19 other than, or without the authorization or prescription of, a
 20 person licensed under such laws to practice dentistry; or

21 (3) the construction or supply of dentures from impres-
 22 sions or casts made by a person not licensed under such laws
 23 to practice dentistry—

1 Shall be fined not more than \$1,000 or imprisoned not
2 more than one year, or both.

CHAPTER 91.—PUBLIC LANDS

Sec.

- 1851. Coal depredations.
- 1852. Timber removed or transported.
- 1853. Trees cut or injured.
- 1854. Trees boxed for pitch or turpentine.
- 1855. Timber set afire.
- 1856. Fires left unattended and unextinguished.
- 1857. Fences destroyed; livestock entering.
- 1858. Survey marks destroyed or removed.
- 1859. Surveys interrupted.
- 1860. Bids at land sales.
- 1861. Deception of prospective purchasers.
- 1862. Trespass on Bull Run National Forest.

3 § 1851. COAL DEPREDACTIONS

4 Whoever mines or removes coal of any character,
5 whether anthracite, bituminous, or lignite, from beds or
6 deposits in lands of, or reserved to the United States, with
7 intent wrongfully to appropriate, sell, or dispose of the same,
8 shall be fined not more than \$1,000 or imprisoned not more
9 than one year, or both.

10 This section shall not interfere with any right or privi-
11 lege conferred by existing laws of the United States.

12 § 1852. TIMBER REMOVED OR TRANSPORTED

13 Whoever cuts, or wantonly destroys any timber growing
14 on the public lands of the United States; or

15 Whoever removes any timber from said public lands,
16 with intent to export or to dispose of the same; or

17 Whoever, being the owner, master, pilot, operator, or

1 consignee of any vessel, motor vehicle, or aircraft or the
2 owner, director, or agent of any railroad, knowingly trans-
3 ports any timber so cut or removed from said lands, or
4 lumber manufactured therefrom—

5 Shall be fined not more than \$1,000 or imprisoned not
6 more than one year, or both.

7 This section shall not prevent any miner or agriculturist
8 from clearing his land in the ordinary working of his min-
9 ing claim, or in the preparation of his farm for tillage, or
10 from taking the timber necessary to support his improve-
11 ments, or the taking of timber for the use of the United
12 States; nor shall it interfere with or take away any right
13 or privilege under any existing law of the United States
14 to cut or remove timber from any public lands.

15 § 1853. TREES CUT OR INJURED

16 Whoever unlawfully cuts, or wantonly injures or de-
17 stroys any tree growing, standing, or being upon any land
18 of the United States which, in pursuance of law, has been
19 reserved or purchased by the United States for any public
20 use, or upon any Indian reservation, or lands belonging to
21 or occupied by any tribe of Indians under the authority
22 of the United States, or any Indian allotment while the
23 title to the same shall be held in trust by the Government,
24 or while the same shall remain inalienable by the allottee
25 without the consent of the United States, shall be fined not

1 more than \$1,000 or imprisoned not more than one year,
2 or both.

3 § 1854. TREES BOXED FOR PITCH OR TURPENTINE

4 Whoever cuts, chips, chops, or boxes any tree upon any
5 lands belonging to the United States, or upon any lands
6 covered by or embraced in any unperfected settlement,
7 application, filing, entry, selection, or location, made under
8 any law of the United States, for the purpose of obtaining
9 from such tree any pitch, turpentine, or other substance;
10 or

11 Whoever buys, trades for, or in any manner acquires any
12 pitch, turpentine, or other substance, or any article or com-
13 modity made from any such pitch, turpentine, or other sub-
14 stance, with knowledge that the same has been so unlawfully
15 obtained—

16 Shall be fined not more than \$1,000 or imprisoned not
17 more than one year, or both.

18 § 1855. TIMBER SET AFIRE

19 Whoever, willfully and without authority, sets on fire any
20 timber, underbrush, or grass or other inflammable material
21 upon the public domain or upon any lands owned or leased
22 by or under the partial, concurrent, or exclusive jurisdiction
23 of the United States, or under contract for purchase or for
24 the acquisition of which condemnation proceedings have been
25 instituted, or upon any Indian reservation or lands belonging

1 to or occupied by any tribe or group of Indians under au-
2 thority of the United States, or upon any Indian allotment
3 while the title to the same shall be held in trust by the
4 Government, or while the same shall remain inalienable by
5 the allottee without the consent of the United States, shall
6 be fined not more than \$5,000 or imprisoned not more than
7 five years, or both.

8 This section shall not apply in the case of a fire set by an
9 allottee in the reasonable exercise of his proprietary rights in
10 the allotment.

11 § 1856. FIRES LEFT UNATTENDED AND UNEXTINGUISHED

12 Whoever, having kindled or caused to be kindled, a fire
13 in or near any forest, timber, or other inflammable material
14 upon any lands owned, controlled or leased by, or under the
15 partial, concurrent, or exclusive jurisdiction of the United
16 States, including lands under contract for purchase or for the
17 acquisition of which condemnation proceedings have been
18 instituted, and including any Indian reservation or lands
19 belonging to or occupied by any tribe or group of Indians
20 under the authority of the United States, or any Indian allot-
21 ment while the title to the same is held in trust by the United
22 States, or while the same shall remain inalienable by the
23 allottee without the consent of the United States, leaves said
24 fire without totally extinguishing the same, or permits or
25 suffers said fire to burn or spread beyond his control, or leaves

1 or suffers said fire to burn unattended, shall be fined not more
2 than \$500 or imprisoned not more than six months, or both.

3 § 1857. FENCES DESTROYED; LIVESTOCK ENTERING

4 Whoever knowingly and unlawfully breaks, opens, or
5 destroys any gate, fence, hedge, or wall inclosing any lands
6 of the United States reserved or purchased for any public
7 use; or

8 Whoever drives any cattle, horses, hogs, or other live-
9 stock up on any such lands for the purposes of destroying the
10 grass or trees on said lands, or where they may destroy the
11 said grass or trees; or

12 Whoever knowingly permits his cattle, horses, hogs, or
13 other livestock to enter through any such inclosure upon any
14 such lands of the United States, where such cattle, horses,
15 hogs, or other livestock may or can destroy the grass or trees
16 or other property of the United States on the said lands—

17 Shall be fined not more than \$500 or imprisoned not
18 more than one year, or both.

19 This section shall not apply to unreserved public lands.

20 § 1858. SURVEY MARKS DESTROYED OR REMOVED

21 Whoever willfully destroys, defaces, changes, or removes
22 to another place any section corner, quarter-section corner,
23 or meander post, on any Government line of survey, or will-
24 fully cuts down any witness tree or any tree blazed to mark

1 the line of a Government survey, or willfully defaces, changes,
2 or removes any monument or bench mark of any Government
3 survey, shall be fined not more than \$250 or imprisoned not
4 more than six months, or both.

5 § 1859. SURVEYS INTERRUPTED

6 Whoever, by threats or force, interrupts, hinders, or
7 prevents the surveying of the public lands, or of any private
8 land claim which has been or may be confirmed by the
9 United States, by the persons authorized to survey the same
10 in conformity with the instructions of the Commissioner of
11 the General Land Office, shall be fined not more than \$3,000
12 or imprisoned not more than three years, or both.

13 § 1860. BIDS AT LAND SALES

14 Whoever bargains, contracts, or agrees, or attempts to
15 bargain, contract, or agree with another that such other
16 shall not bid upon or purchase any parcel of lands of the
17 United States offered at public sale; or

18 Whoever, by intimidation, combination, or unfair man-
19 agement, hinders, prevents, or attempts to hinder or prevent,
20 any person from bidding upon or purchasing any tract of land
21 so offered for sale—

22 Shall be fined not more than \$1,000 or imprisoned not
23 more than one year, or both.

24 § 1861. DECEPTION OF PROSPECTIVE PURCHASERS

25 Whoever, for a reward paid or promised to him in that

1 behalf, undertakes to locate for an intending purchaser, settler,
2 or entryman any public lands of the United States subject
3 to disposition under the public-land laws, and who willfully
4 and falsely represents to such intending purchaser, settler,
5 or entryman that any tract of land shown to him is public
6 land of the United States subject to sale, settlement, or entry,
7 or that it is of a particular surveyed description, with intent
8 to deceive the person to whom such representation is made,
9 or who, in reckless disregard of the truth, falsely represents
10 to any such person that any tract of land shown to him is
11 public land of the United States subject to sale, settlement,
12 or entry, or that it is of a particular surveyed description,
13 thereby deceiving the person to whom such representation
14 is made, shall be fined not more than \$300 or imprisoned
15 not more than one year, or both.

16 § 1862. TRESPASS ON BULL RUN NATIONAL FOREST

17 Whoever knowingly trespasses upon any part of the
18 reserve known as Bull Run National Forest, in the Cascade
19 Mountains, in the State of Oregon, or unlawfully enters
20 thereon for the purpose of grazing stock, or engages in
21 grazing stock thereon, or permits stock of any kind to graze
22 thereon, shall be fined not more than \$500 or imprisoned
23 not more than six months, or both.

24 This section shall not apply to forest rangers and other
25 persons employed by the United States to protect the forest,

- 1 or to Federal and State officers and employees of the water
 2 board of the City of Portland, State of Oregon, in the dis-
 3 charge of their duties.

CHAPTER 93.—PUBLIC OFFICERS AND EMPLOYEES

Sec.

1901. Collecting or disbursing officer trading in public property.
 1902. Disclosure of crop information and speculation thereon.
 1903. Speculation in stocks or commodities affecting crop insurance.
 1904. Disclosure of information or speculation in securities affecting Re-
 construction Finance Corporation.
 1905. Disclosure of confidential information generally.
 1906. Disclosure of information by bank examiner.
 1907. Disclosure of information by farm credit examiner.
 1908. Disclosure of information by National Agricultural Credit Corpo-
 ration examiner.
 1909. Examiner performing other services.
 1910. Nepotism in appointment of receiver or trustee.
 1911. Receiver mismanaging property.
 1912. Unauthorized fees for inspection of vessels.
 1913. Lobbying with appropriated moneys.
 1914. Salary of Government officials and employees payable only by United
 States.
 1915. Compromise of customs liabilities.

4 § 1901. COLLECTING OR DISBURSING OFFICER TRADING
 5 IN PUBLIC PROPERTY

6 Whoever, being an officer of the United States con-
 7 cerned in the collection or the disbursement of the revenues
 8 thereof, carries on any trade or business in the funds or
 9 debts of the United States, or of any State, or in any public
 10 property of either, shall be fined not more than \$3,000 or
 11 imprisoned not more than one year, or both; and shall be
 12 removed from office, and be incapable of holding any office
 13 under the United States.

1 § 1902. DISCLOSURE OF CROP INFORMATION AND SPECU-
2 LATION THEREON

3 Whoever, being an officer, employee or person acting
4 for or on behalf of the United States or any department or
5 agency thereof, and having by virtue of his office, employ-
6 ment or position, become possessed of information which
7 might influence or affect the market value of any product
8 of the soil grown within the United States, which information
9 is by law or by the rules of such department or agency re-
10 quired to be withheld from publication until a fixed time,
11 willfully imparts, directly or indirectly, such information, or
12 any part thereof, to any person not entitled under the law
13 or the rules of the department or agency to receive the
14 same; or, before such information is made public through
15 regular official channels, directly or indirectly speculates in
16 any such product by buying or selling the same in any
17 quantity, shall be fined not more than \$10,000 or imprisoned
18 not more than ten years, or both.

19 No person shall be deemed guilty of a violation of any
20 such rules, unless prior to such alleged violation he shall
21 have had actual knowledge thereof.

1 § 1903. SPECULATION IN STOCKS OR COMMODITIES
2 AFFECTING CROP INSURANCE

3 Whoever, while acting in any official capacity in the
4 administration of any Act of Congress relating to crop
5 insurance or to the Federal Crop Insurance Corporation,
6 speculates in any agricultural commodity or product thereof,
7 to which such enactments apply, or in contracts relating
8 thereto, or in the stock or membership interests of any asso-
9 ciation or corporation engaged in handling, processing, or
10 disposing of any such commodity or product, shall be fined
11 not more than \$10,000 or imprisoned not more than two
12 years, or both.

13 § 1904. DISCLOSURE OF INFORMATION OR SPECULATION
14 IN SECURITIES AFFECTING RECONSTRUCTION
15 FINANCE CORPORATION

16 Whoever, being connected in any capacity with the
17 Reconstruction Finance Corporation, gives any unauthor-
18 ized information concerning any future action or plan of
19 the said Corporation which might affect the value of securi-
20 ties, or, having such knowledge, invests or speculates, direct-
21 ly or indirectly in the securities or property of any company,
22 bank, or corporation receiving loans or other assistance from
23 the said Corporation, shall be fined not more than \$10,000
24 or imprisoned not more than five years, or both.

1 § 1905. DISCLOSURE OF CONFIDENTIAL INFORMATION

2 GENERALLY

3 Whoever, being an officer or employee of the United
4 States or of any department or agency thereof, publishes,
5 divulges, discloses, or makes known in any manner or to
6 any extent not authorized by law any information coming
7 to him in the course of his employment or official duties or
8 by reason of any examination or investigation made by, or
9 return, report or record made to or filed with, such depart-
10 ment or agency or officer or employee thereof, which in-
11 formation concerns or relates to the trade secrets, processes,
12 operations, style of work, or apparatus, or to the identity,
13 confidential statistical data, amount or source of any income,
14 profits, losses, or expenditures of any person, firm, partner-
15 ship, corporation, or association; or permits any income
16 return or copy thereof or any book containing any abstract
17 or particulars thereof to be seen or examined by any person
18 except as provided by law; shall be fined not more than
19 \$1,000 or imprisoned not more than one year, or both;
20 and shall be removed from office or employment.

21 § 1906. DISCLOSURE OF INFORMATION BY BANK EXAM-

22 INNER

23 Whoever, being an examiner, public or private, discloses
24 the names of borrowers or the collateral for loans of any

1 member bank of the Federal Reserve System, or bank in-
2 sured by the Federal Deposit Insurance Corporation,
3 examined by him, to other than the proper officers of such
4 bank, without first having obtained the express permission
5 in writing from the Comptroller of the Currency as to a
6 national bank, the Board of Governors of the Federal Re-
7 serve System as to a State member bank, or the Federal
8 Deposit Insurance Corporation as to any other insured bank,
9 or from the board of directors of such bank, except when
10 ordered to do so by a court of competent jurisdiction, or by
11 direction of the Congress of the United States, or either
12 House thereof, or any committee of Congress or either
13 House duly authorized, shall be fined not more than \$5,000
14 or imprisoned not more than one year, or both.

15 § 1907. DISCLOSURE OF INFORMATION BY FARM CREDIT

16 EXAMINER

17 Whoever, being a farm credit examiner or any examiner,
18 public or private, discloses the names of borrowers of any
19 national farm loan association, Federal land bank, or joint-
20 stock land bank, or any organization examined by him under
21 the provisions of law relating to Federal intermediate credit
22 banks, to other than the proper officers of such institution
23 or organization, without first having obtained express per-
24 mission in writing from the Land Bank Commissioner or

1 from the board of directors of such institution or organization,
2 except when ordered to do so by a court of competent juris-
3 diction or by direction of the Congress of the United States
4 or either House thereof, or any committee of Congress or
5 either House duly authorized, shall be fined not more than
6 \$5,000 or imprisoned not more than one year, or both; and
7 shall be disqualified from holding office as a farm credit
8 examiner.

9 § 1908. DISCLOSURE OF INFORMATION BY NATIONAL
10 AGRICULTURAL CREDIT CORPORATION EXAM-
11 INER

12 Whoever, being an examiner appointed under the pro-
13 visions of law relating to National Agricultural Credit Cor-
14 porations, discloses the names of borrowers of any
15 organization examined by him, to other than the proper
16 officers of such organization, without first having obtained
17 express permission in writing from the Comptroller of the
18 Currency or from the board of directors of such organiza-
19 tion, except when ordered to do so by a court of competent
20 jurisdiction or by direction of the Congress of the United
21 States or either House thereof, or any committee of Congress
22 or either House duly authorized, shall be fined not more
23 than \$5,000 or imprisoned not more than one year, or both;
24 and shall be disqualified from holding office as such examiner.

1 § 1909. EXAMINER PERFORMING OTHER SERVICES

2 Whoever, being a national-bank examiner, Federal De-
3 posit Insurance Corporation examiner, farm credit examiner,
4 or an examiner of National Agricultural Credit Corporations,
5 performs any other service, for compensation, for any bank
6 or banking or loan association, or for any officer, director, or
7 employee thereof, or for any person connected therewith in
8 any capacity, shall be fined not more than \$5,000 or impris-
9 oned not more than one year, or both.

10 § 1910. NEPOTISM IN APPOINTMENT OF RECEIVER OR
11 TRUSTEE

12 Whoever, being a judge of any court of the United
13 States, appoints as receiver, or trustee, any person related
14 to such judge by consanguinity, or affinity, within the fourth
15 degree—

16 Shall be fined not more than \$10,000 or imprisoned not
17 more than five years, or both.

18 § 1911. RECEIVER MISMANAGING PROPERTY

19 Whoever, being a receiver, trustee, or manager in pos-
20 session of any property in any cause pending in any court
21 of the United States, willfully fails to manage and operate
22 such property according to the requirements of the valid laws
23 of the State in which such property shall be situated, in the
24 same manner that the owner or possessor thereof would be

1 bound to do if in possession thereof, shall be fined not more
2 than \$3,000 or imprisoned not more than one year, or both.

3 § 1912. UNAUTHORIZED FEES FOR INSPECTION OF
4 VESSELS

5 Whoever, being an officer, employee, or agent of the
6 United States or any agency thereof, engaged in inspection
7 of vessels, upon any pretense, receives any fee or reward
8 for his services, except what is allowed to him by law, shall
9 be fined not more than \$500 or imprisoned not more than
10 six months, or both; and shall forfeit his office.

11 § 1913. LOBBYING WITH APPROPRIATED MONEYS

12 No part of the money appropriated by any enactment
13 of Congress shall, in the absence of express authorization by
14 Congress, be used directly or indirectly to pay for any per-
15 sonal service, advertisement, telegram, telephone, letter,
16 printed or written matter, or other device, intended or de-
17 signed to influence in any manner a Member of Congress,
18 to favor or oppose, by vote or otherwise, any legislation or
19 appropriation by Congress, whether before or after the in-
20 troduction of any bill or resolution proposing such legislation
21 or appropriation; but this shall not prevent officers or em-
22 ployees of the United States or of its departments or
23 agencies from communicating to Members of Congress on
24 the request of any Member or to Congress, through the
25 proper official channels, requests for legislation or appropri-

1 ations which they deem necessary for the efficient conduct
2 of the public business.

3 Whoever, being an officer or employee of the United
4 States or of any department or agency thereof, violates or
5 attempts to violate this section, shall be fined not more
6 than \$500 or imprisoned not more than one year, or
7 both; and after notice and hearing by the superior officer
8 vested with the power of removing him, shall be removed
9 from office or employment.

10 § 1914. SALARY OF GOVERNMENT OFFICIALS AND EM-
11 PLOYEES PAYABLE ONLY BY UNITED STATES

12 Whoever, being a Government official or employee,
13 receives any salary in connection with his services as such
14 an official or employee from any source other than the Gov-
15 ernment of the United States, except as may be contributed
16 out of the treasury of any State, county, or municipality; or

17 Whoever, whether a person, association, or corporation,
18 makes any contribution to, or in any way supplements the
19 salary of, any Government official or employee for the
20 services performed by him for the Government of the United
21 States—

22 Shall be fined not more than \$1,000 or imprisoned not
23 more than six months, or both.

24 § 1915. COMPROMISE OF CUSTOMS LIABILITIES

25 Whoever, being an officer of the United States, with-

1 out lawful authority compromises or abates or attempts to
 2 compromise or abate any claim of the United States arising
 3 under the customs laws for any fine, penalty or forfeiture,
 4 or in any manner relieves or attempts to relieve any person,
 5 vessel, vehicle, merchandise or baggage therefrom, shall be
 6 fined not more than \$5,000 or imprisoned not more than
 7 two years, or both.

CHAPTER 95.—RACKETEERING

Sec.

1951. Interference with commerce by threats or violence.

8 § 1951. INTERFERENCE WITH COMMERCE BY THREATS
 9 OR VIOLENCE

10 (a) Whoever in any way or degree obstructs, delays,
 11 or affects commerce or the movement of any article or
 12 commodity in commerce, by robbery or extortion or attempts
 13 or conspires so to do, or commits or threatens physical
 14 violence to any person or property in furtherance of a plan
 15 or purpose to do anything in violation of this section shall
 16 be fined not more than \$10,000 or imprisoned not more
 17 than twenty years, or both.

18 (b) As used in this section—

19 (1) The term “robbery” means the unlawful
 20 taking or obtaining of personal property from the per-
 21 son or in the presence of another, against his will,
 22 by means of actual or threatened force, or violence,
 23 or fear of injury, immediate or future, to his person

1 or property, or property in his custody or possession,
 2 or the person or property of a relative or member of
 3 his family or of anyone in his company at the time
 4 of the taking or obtaining.

5 (2) The term "extortion" means the obtaining
 6 of property from another, with his consent, induced
 7 by wrongful use of actual or threatened force, violence,
 8 or fear, or under color of official right.

9 (3) The term "commerce" means commerce with-
 10 in the District of Columbia, or any Territory or Pos-
 11 session of the United States; all commerce between
 12 any point in a State, Territory, Possession, or the
 13 District of Columbia and any point outside thereof; all
 14 commerce between points within the same State
 15 through any place outside such State; and all other
 16 commerce over which the United States has jurisdiction.

17 (c) This section shall not be construed to repeal, modify
 18 or affect section 17 of Title 15, sections 52, 101-115, 151-
 19 166 of Title 29 or sections 151-188 of Title 45.

CHAPTER 97.—RAILROADS

Sec.

1991. Entering train to commit crime.

1992. Wrecking trains.

20 § 1991. ENTERING TRAIN TO COMMIT CRIME

21 Whoever, in any Territory or District, or within or
 22 upon any place within the exclusive jurisdiction of the United

1 States, willfully and maliciously trespasses upon or enters
2 upon any railroad train, railroad car, or railroad locomotive,
3 with the intent to commit murder or robbery, shall be fined
4 not more than \$5,000 or imprisoned not more than twenty
5 years, or both.

6 Whoever, within such jurisdiction, willfully and mali-
7 ciously trespasses upon or enters upon any railroad train,
8 railroad car, or railroad locomotive, with intent to commit
9 any unlawful violence upon or against any passenger on said
10 train, or car, or upon or against any engineer, conductor,
11 fireman, brakeman, or any officer or employee connected
12 with said locomotive, train, or car, or upon or against any
13 express messenger or mail agent on said train or in any car
14 thereof, or to commit any crime or offense against any person
15 or property thereon, shall be fined not more than \$1,000 or
16 imprisoned not more than one year, or both.

17 Upon the trial of any person charged with any offense
18 set forth in this section, it shall not be necessary to set forth
19 or prove the particular person against whom it was intended
20 to commit the offense, or that it was intended to commit such
21 offense against any particular person.

22 § 1992. WRECKING TRAINS

23 Whoever willfully derails, disables, or wrecks any train,
24 engine, motor unit, or car used, operated, or employed in
25 interstate or foreign commerce by any railroad; or

1 Whoever willfully sets fire to, or places any explosive
2 substance on or near, or undermines any tunnel, bridge,
3 viaduct, trestle, track, signal, station, depot, warehouse,
4 terminal, or any other way, structure, property, or appur-
5 tenance used in the operation of any such railroad in inter-
6 state or foreign commerce, or otherwise makes any such
7 tunnel, bridge, viaduct, trestle, track, signal, station, depot,
8 warehouse, terminal, or any other way, structure, property,
9 or appurtenance unworkable or unusable or hazardous to
10 work or use, with the intent to derail, disable, or wreck a
11 train, engine, motor unit, or car used, operated, or employed
12 in interstate or foreign commerce; or

13 Whoever willfully attempts to do any of the aforesaid
14 acts or things—

15 Shall be fined not more than \$10,000 or imprisoned not
16 more than twenty years, or both.

17 Whoever is convicted of any such crime, which has
18 resulted in the death of any person, shall be subject also
19 to the death penalty or to imprisonment for life, if the jury
20 shall in its discretion so direct, or, in the case of a plea of
21 guilty, if the court in its discretion shall so order.

22 A judgement of conviction or acquittal on the merits
23 under the laws of any State shall be a bar to any prosecution
24 hereunder for the same act or acts.

CHAPTER 99.—RAPE

Sec.

2031. Special maritime and territorial jurisdiction.

2032. Carnal knowledge of female under 16.

1 § 2031. SPECIAL MARITIME AND TERRITORIAL JURISDIC-
 2 TION

3 Whoever, within the special maritime and territorial
 4 jurisdiction of the United States, commits rape shall suffer
 5 death, or imprisonment for any term of years or for life.

6 § 2032. CARNAL KNOWLEDGE OF FEMALE UNDER 16

7 Whoever, within the special maritime and territorial
 8 jurisdiction of the United States, carnally knows any female,
 9 not his wife, who has not attained the age of sixteen years,
 10 shall, for a first offense, be imprisoned not more than fifteen
 11 years, and for a subsequent offense, be imprisoned not more
 12 than thirty years.

CHAPTER 101.—RECORDS AND REPORTS

Sec.

2071. Concealment, removal, or mutilation generally.

2072. False crop reports.

2073. False entries and reports of moneys or securities.

2074. False weather reports.

2075. Officer failing to make returns or reports.

2076. Clerk of United States District Court.

13 § 2071. CONCEALMENT, REMOVAL, OR MUTILATION GEN-
 14 ERALLY

15 (a) Whoever willfully and unlawfully conceals, re-
 16 moves, mutilates, obliterates, or destroys, or attempts to do
 17 so, or, with intent to do so takes and carries away any record,
 18 proceeding, map, book, paper, document, or other thing,

1 filed or deposited with any clerk or officer of any court
2 of the United States, or in any public office, or with any
3 judicial or public officer of the United States, shall be fined
4 not more than \$2,000 or imprisoned not more than three
5 years, or both.

6 (b) Whoever, having the custody of any such record,
7 proceeding, map, book, document, paper, or other thing,
8 willfully and unlawfully conceals, removes, mutilates, oblit-
9 erates, falsifies, or destroys the same, shall be fined not
10 more than \$2,000 or imprisoned not more than three years,
11 or both; and shall forfeit his office and be disqualified from
12 holding any office under the United States.

13 § 2072. FALSE CROP REPORTS

14 Whoever, being an officer or employee of the United
15 States or any of its agencies, whose duties require the
16 compilation or report of statistics or information relating
17 to the products of the soil, knowingly compiles for issuance,
18 or issues, any false statistics or information as a report of
19 the United States or any of its agencies, shall be fined not
20 more than \$5,000 or imprisoned not more than five years,
21 or both.

22 § 2073. FALSE ENTRIES AND REPORTS OF MONEYS OR
23 SECURITIES

24 Whoever, being an officer, clerk, agent, or other em-
25 ployee of the United States or any of its agencies, charged

1 with the duty of keeping accounts or records of any kind,
2 with intent to deceive, mislead, injure, or defraud, makes
3 in any such account or record any false or fictitious entry
4 or record of any matter relating to or connected with his
5 duties; or

6 Whoever, being an officer, clerk, agent, or other em-
7 ployee of the United States or any of its agencies, charged
8 with the duty of receiving, holding, or paying over moneys
9 or securities to, for, or on behalf of the United States, or
10 of receiving or holding in trust for any person any moneys
11 or securities, with like intent, makes a false report of such
12 moneys or securities—

13 Shall be fined not more than \$5,000 or imprisoned not
14 more than ten years, or both.

15 § 2074. FALSE WEATHER REPORTS

16 Whoever knowingly issues or publishes any counterfeit
17 weather forecast or warning of weather conditions falsely
18 representing such forecast or warning to have been issued
19 or published by the Weather Bureau, United States Signal
20 Service, or other branch of the Government service, shall
21 be fined not more than \$500 or imprisoned not more than
22 ninety days, or both.

23 § 2075. OFFICER FAILING TO MAKE RETURNS OR REPORTS

24 Every officer who neglects or refuses to make any return
25 or report which he is required to make at stated times by

1 any Act of Congress or regulation of the Department
 2 of the Treasury, other than his accounts, within the time
 3 prescribed by such Act or regulation, shall be fined
 4 not more than \$1,000.

5 § 2076. CLERK OF UNITED STATES DISTRICT COURT

6 Whoever, being a clerk of a district court of the United
 7 States, willfully refuses or neglects to make or forward any
 8 report, certificate, statement, or document as required by law,
 9 shall be fined not more than \$1,000 or imprisoned not more
 10 than one year.

CHAPTER 103.—ROBBERY AND BURGLARY

Sec.

2111. Special maritime and territorial jurisdiction.

2112. Personal property of United States.

Sec.

2113. Bank robbery and incidental crimes.

2114. Mail, money, or other property of United States.

2115. Post office.

2116. Railway or steamboat post office.

2117. Railroad car entered or seal broken.

11 § 2111. SPECIAL MARITIME AND TERRITORIAL JURISDIC-
 12 TION

13 Whoever, within the special maritime and territorial
 14 jurisdiction of the United States, by force and violence, or
 15 by intimidation, takes from the person or presence of another
 16 anything of value, shall be imprisoned not more than fifteen
 17 years.

18 § 2112. PERSONAL PROPERTY OF UNITED STATES

19 Whoever robs another of any kind or description of

1 personal property belonging to the United States, shall be
2 imprisoned not more than fifteen years.

3 § 2113. BANK ROBBERY AND INCIDENTAL CRIMES

4 (a) Whoever, by force and violence, or by intimidation,
5 takes, or attempts to take, from the person or presence of
6 another any property or money or any other thing of value
7 belonging to, or in the care, custody, control, management,
8 or possession of, any bank; or

9 Whoever enters or attempts to enter any bank, or any
10 building used in whole or in part as a bank, with intent to
11 commit in such bank or building, or part thereof, so used,
12 any felony affecting such bank and in violation of any statute
13 of the United States, or any larceny—

14 Shall be fined not more than \$5,000 or imprisoned not
15 more than twenty years, or both.

16 (b) Whoever takes and carries away, with intent to
17 steal or purloin, any property or money or any other thing
18 of value exceeding \$100 belonging to, or in the care, cus-
19 tody, control, management, or possession of any bank, shall
20 be fined not more than \$5,000 or imprisoned not more than
21 ten years, or both; or

22 Whoever takes and carries away, with intent to steal
23 or purloin, any property or money or any other thing of
24 value not exceeding \$100 belonging to, or in the care,
25 custody, control, management, or possession of any bank,

1 shall be fined not more than \$1,000 or imprisoned not more
2 than one year, or both.

3 (c) Whoever receives, possesses, conceals, stores, bar-
4 ters, sells, or disposes of, any property or money or other
5 thing of value knowing the same to have been taken from
6 a bank in violation of subsection (b) of this section shall
7 be subject to the punishment provided by said subsection (b)
8 for the taker.

9 (d) Whoever, in committing, or in attempting to com-
10 mit, any offense defined in subsections (a) and (b) of this
11 section, assaults any person, or puts in jeopardy the life of
12 any person by the use of a dangerous weapon or device, shall
13 be fined not more than \$10,000 or imprisoned not more than
14 twenty-five years, or both.

15 (e) Whoever, in committing any offense defined in this
16 section, or in avoiding or attempting to avoid apprehension
17 for the commission of such offense, or in freeing himself or
18 attempting to free himself from arrest or confinement for such
19 offense, kills any person, or forces any person to accompany
20 him without the consent of such person, shall be imprisoned
21 not less than ten years, or punished by death if the verdict
22 of the jury shall so direct.

23 (f) As used in this section the term "bank" means
24 any member bank of the Federal Reserve System, and any
25 bank, banking association, trust company, savings bank, a

1 Federal Savings and Loan Association, or other banking
2 institution organized or operating under the laws of the
3 United States and any bank the deposits of which are insured
4 by the Federal Deposit Insurance Corporation.

5 § 2114. MAIL, MONEY OR OTHER PROPERTY OF UNITED
6 STATES

7 Whoever assaults any person having lawful charge, con-
8 trol, or custody of any mail matter or of any money or other
9 property of the United States, with intent to rob, steal, or
10 purloin such mail matter, money, or other property of the
11 United States, or robs any such person of mail matter, or
12 of any money, or other property of the United States, shall,
13 for the first offense, be imprisoned not more than ten years;
14 and if in effecting or attempting to effect such robbery he
15 wounds the person having custody of such mail, money, or
16 other property of the United States, or puts his life in jeopardy
17 by the use of a dangerous weapon, or for a subsequent offense,
18 shall be imprisoned twenty-five years.

19 § 2115. POST OFFICE

20 Whoever forcibly breaks into or attempts to break into
21 any post office, or any building used in whole or in part as
22 a post office, with intent to commit in such post office, or
23 building or part thereof, so used, any larceny or other dep-
24 redation, shall be fined not more than \$1,000 or imprisoned
25 not more than five years, or both.

1 § 2116. RAILWAY OR STEAMBOAT POST OFFICE

2 Whoever, by violence, enters a post-office car, or any
3 part of any car, steamboat, or vessel, assigned to the use of
4 the mail service, or willfully or maliciously assaults or inter-
5 feres with any postal clerk in the discharge of his duties in
6 connection with such car, steamboat, vessel, or apartment
7 thereof, shall be fined not more than \$1,000 or imprisoned
8 not more than three years, or both.

9 § 2117. RAILROAD CAR ENTERED OR SEAL BROKEN

10 Whoever breaks the seal or lock of any railroad car, ves-
11 sel, aircraft, motortruck, wagon or other vehicle, containing
12 interstate or foreign shipments of freight or express, or enters
13 any such vehicle with intent in either case to commit larceny
14 therein, shall be fined not more than \$5,000 or imprisoned
15 not more than ten years, or both.

CHAPTER 105.—SABOTAGE

Sec.

2151. Definitions.

2152. Fortifications, harbor defenses, or defensive sea areas.

2153. Destruction of war material.

2154. Production of defective war material.

2155. Destruction of national-defense materials.

2156. Production of defective national-defense material.

16 §.2151. DEFINITIONS

17 As used in this chapter:

18 The words "war material" include arms, armament, am-
19 munition, livestock, forage, forest products and standing
20 timber, stores of clothing, food, foodstuffs, fuel, supplies,
21 munitions, and all articles, parts or ingredients, intended for,

1 adapted to, or suitable for the use of the United States or
2 any associate nation, in connection with the conduct of war.

3 The words "war premises" include all buildings, grounds,
4 mines, or other places wherein such war material is being
5 produced, manufactured, repaired, stored, mined, extracted,
6 distributed, loaded, unloaded, or transported, together with
7 all machinery and appliances therein contained; and all
8 forts, arsenals, navy yards, camps, prisons, or other military
9 or naval stations of the United States, or any associate
10 nation.

11 The words "war utilities" include all railroads, railways,
12 electric lines, roads of whatever description, any railroad or
13 railway fixture, canal, lock, dam, wharf, pier, dock, bridge,
14 building, structure, engine, machine, mechanical contrivance,
15 car, vehicle, boat, or aircraft, or any other means of trans-
16 portation whatsoever, whereon or whereby such war mate-
17 rial or any troops of the United States, or of any associate
18 nation, are being or may be transported either within the
19 limits of the United States or upon the high seas; and all
20 dams, reservoirs, aqueducts, water and gas mains and pipes,
21 structures and buildings, whereby or in connection with
22 which water or gas is being furnished, or may be furnished,
23 to any war premises or to the military or naval forces of
24 the United States, or any associate nation, and all electric
25 light and power, steam or pneumatic power, telephone and

1 telegraph plants, poles, wires, and fixtures and wireless
2 stations, and the buildings connected with the maintenance
3 and operation thereof used to supply water, light, heat,
4 power, or facilities of communication to any war premises
5 or to the military or naval forces of the United States, or any
6 associate nation.

7 The words "associate nation" mean any nation at war
8 with any nation with which the United States is at war.

9 The words "national-defense material" include arms,
10 armament, ammunition, livestock, stores of clothing,
11 food, foodstuffs, fuel, supplies, munitions, and all other arti-
12 cles of whatever description and any part or ingredient
13 thereof, intended for the use of the United States in connec-
14 tion with the national defense or for use in or in connection
15 with the producing, manufacturing, repairing, storing,
16 mining, extracting, distributing, loading, unloading, or
17 transporting of any of the materials or other articles herein-
18 before mentioned or any part or ingredient thereof.

19 The words "national-defense premises" include all
20 buildings, grounds, mines, or other places wherein such
21 national-defense material is being produced, manufactured,
22 repaired, stored, mined, extracted, distributed, loaded, un-
23 loaded, or transported, together with all machinery and ap-

1 pliances therein contained; and all forts, arsenals, navy yards,
2 camps, prisons, or other military or naval stations of the
3 United States.

4 The words "national-defense utilities" include all rail-
5 roads, railways, electric lines, roads of whatever description,
6 railroad or railway fixture, canal, lock, dam, wharf, pier,
7 dock, bridge, building, structure, engine, machine, mechan-
8 ical contrivance, car, vehicle, boat, or aircraft, or any other
9 means of transportation whatsoever, whereon or whereby
10 such national-defense material, or any troops of the United
11 States, are being or may be transported either within the
12 limits of the United States or upon the high seas; and all
13 dams, reservoirs, aqueducts, water and gas mains and pipes,
14 structures, and buildings, whereby or in connection with
15 which water or gas may be furnished to any national-defense
16 premises or to the military or naval forces of the United
17 States, and all electric light and power, steam or pneumatic
18 power, telephone and telegraph plants, poles, wires, and
19 fixtures and wireless stations, and the buildings connected
20 with the maintenance and operation thereof used to supply
21 water, light, heat, power, or facilities of communication to
22 any national-defense premises or to the military or naval
23 forces of the United States.

1 § 2152. FORTIFICATIONS, HARBOR DEFENSES, OR DEFEN-
2 SIVE SEA AREAS

3 Whoever willfully trespasses upon, injures, or destroys
4 any of the works or property or material of any submarine
5 mine or torpedo or fortification or harbor-defense system
6 owned or constructed or in process of construction by the
7 United States; or

8 Whoever willfully interferes with the operation or use
9 of any such submarine mine, torpedo, fortification, or harbor-
10 defense system; or

11 Whoever knowingly, willfully, or wantonly violates any
12 duly authorized and promulgated order or regulation of the
13 President governing persons or vessels within the limits of
14 defensive sea areas, which the President, for purposes of
15 national defense, may from time to time establish by execu-
16 tive order—

17 Shall be fined not more than \$5,000 or imprisoned not
18 more than five years, or both.

19 § 2153. DESTRUCTION OF WAR MATERIAL

20 (a) Whoever, when the United States is at war, with
21 intent to injure, interfere with, or obstruct the United States
22 or any associate nation in preparing for or carrying on the
23 war, or, with reason to believe that his act may injure,
24 interfere with, or obstruct the United States or any associate
25 nation in preparing for or carrying on the war, willfully

1 injures or destroys, or attempts to so injure or destroy, any
2 war material, war premises, or war utilities, shall be fined
3 not more than \$10,000 or imprisoned not more than thirty
4 years, or both.

5 (b) If two or more persons conspire to violate this sec-
6 tion, and one or more of such persons do any act to effect the
7 object of the conspiracy, each of the parties to such con-
8 spiracy shall be punished as provided in subsection (a) of
9 this section.

10 § 2154. PRODUCTION OF DEFECTIVE WAR MATERIAL

11 (a) Whoever, when the United States is at war, with in-
12 tent to injure, interfere with, or obstruct the United States or
13 any associate nation in preparing for or carrying on the war,
14 or, with reason to believe that his act may injure, inter-
15 fere with, or obstruct the United States or any associate
16 nation in preparing for or carrying on the war, willfully
17 makes or causes to be made in a defective manner, or at-
18 tempts to make or cause to be made in a defective manner,
19 any war material, or any tool, implement, machine, utensil,
20 or receptacle used or employed in making, producing, manu-
21 facturing, or repairing any such war material, shall be fined
22 not more than \$10,000 or imprisoned not more than thirty
23 years, or both.

24 (b) If two or more persons conspire to violate this
25 section, and one or more of such persons do any act to effect

1 the object of the conspiracy, each of the parties to such
 2 conspiracy shall be punished as provided in subsection (a)
 3 of this section.

4 § 2155. DESTRUCTION OF NATIONAL-DEFENSE MATERIALS

5 Whoever, with intent to injure, interfere with, or ob-
 6 struct the national defense of the United States, willfully
 7 injures or destroys, or attempts to so injure or destroy,
 8 any national-defense material, national-defense premises, or
 9 national-defense utilities, shall be fined not more than
 10 \$10,000 or imprisoned not more than ten years, or both.

11 § 2156. PRODUCTION OF DEFECTIVE NATIONAL-DEFENSE
 12 MATERIAL

13 Whoever, with intent to injure, interfere with, or ob-
 14 struct the national defense of the United States, willfully
 15 makes or attempts to make in a defective manner, any
 16 national-defense material, or any tool, implement, machine,
 17 utensil, or receptacle used or employed in making, produc-
 18 ing, manufacturing, or repairing any such national-defense
 19 material, shall be fined not more than \$10,000 or im-
 20 prisoned not more than ten years, or both.

CHAPTER 107.—SEAMEN AND STOWAWAYS

Sec.

2191. Cruelty to seamen.

2192. Incitation of seamen to revolt or mutiny.

2193. Revolt or mutiny of seamen.

2194. Shanghaing sailors.

2195. Abandonment of sailors.

2196. Drunkenness or neglect of duty by seamen.

2197. Misuse of federal certificate, license or document.

2198. Seduction of female passenger.

2199. Stowaways on vessels or aircraft.

1 § 2191. CRUELTY TO SEAMEN

2 Whoever, being the master or officer of a vessel of the
3 United States, on the high seas, or on any other waters within
4 the admiralty and maritime jurisdiction of the United States,
5 flogs, beats, wounds, or without justifiable cause, imprisons
6 any of the crew of such vessel, or withholds from them suit-
7 able food and nourishment, or inflicts upon them any corporal
8 or other cruel and unusual punishment, shall be fined not more
9 than \$1,000 or imprisoned not more than five years, or both.

10 § 2192. INCITATION OF SEAMEN TO REVOLT OR MUTINY

11 Whoever, being of the crew of a vessel of the United
12 States, on the high seas, or on any other waters within the
13 admiralty and maritime jurisdiction of the United States,
14 endeavors to make a revolt or mutiny on board such vessel,
15 or combines, conspires, or confederates with any other person
16 on board to make such revolt or mutiny, or solicits, incites,
17 or stirs up any other of the crew to disobey or resist the law-
18 ful orders of the master or other officer of such vessel, or to
19 refuse or neglect his proper duty on board thereof, or to
20 betray his proper trust, or assembles with others in a tumultu-
21 ous and mutinous manner, or makes a riot on board thereof,
22 or unlawfully confines the master or other commanding officer
23 thereof, shall be fined not more than \$1,000 or imprisoned not
24 more than five years, or both.

1 § 2193. REVOLT OR MUTINY OF SEAMEN

2 Whoever, being of the crew of a vessel of the United
3 States, on the high seas, or on any other waters within the
4 admiralty and maritime jurisdiction of the United States,
5 unlawfully and with force, or by fraud, or intimidation, usurps
6 the command of such vessel from the master or other lawful
7 officer in command thereof, or deprives him of authority and
8 command on board, or resists or prevents him in the free and
9 lawful exercise thereof, or transfers such authority and com-
10 mand to another not lawfully entitled thereto, is guilty of a
11 revolt and mutiny, and shall be fined not more than \$2,000
12 or imprisoned not more than ten years, or both.

13 § 2194. SHANGHAING SAILORS

14 Whoever, with intent that any person shall perform
15 service or labor of any kind on board of any vessel engaged
16 in trade and commerce among the several States or with
17 foreign nations, or on board of any vessel of the United States
18 engaged in navigating the high seas or any navigable water
19 of the United States, procures or induces, or attempts to
20 procure or induce, another, by force or threats or by repre-
21 sentations which he knows or believes to be untrue, or while
22 the person so procured or induced is intoxicated or under the
23 influence of any drug, to go on board of any such vessel, or
24 to sign or in anywise enter into any agreement to go on board
25 of any such vessel to perform service or labor thereon; or

1 Whoever knowingly detains on board of any such vessel
2 any person so procured or induced to go on board, or to
3 enter into any agreement to go on board, by any means
4 herein defined—

5 Shall be fined not more than \$1,000 or imprisoned not
6 more than one year, or both.

7 § 2195. ABANDONMENT OF SAILORS

8 Whoever, being master or commander of a vessel of the
9 United States, while abroad, maliciously and without justi-
10 fiable cause forces any officer or mariner of such vessel on
11 shore, in order to leave him behind in any foreign port or
12 place, or refuses to bring home again all such officers and
13 mariners of such vessel whom he carried out with him, as
14 are in a condition to return and willing to return, when he is
15 ready to proceed on his homeward voyage, shall be fined not
16 more than \$500 or imprisoned not more than six months,
17 or both.

18 § 2196. DRUNKENNESS OR NEGLECT OF DUTY BY SEAMEN

19 Whoever, being a master, officer, radio operator, seaman,
20 apprentice or other person employed on any merchant vessel,
21 by willful breach of duty, or by reason of drunkenness, does
22 any act tending to the immediate loss or destruction of, or
23 serious damage to, such vessel, or tending immediately to
24 endanger the life or limb of any person belonging to or on

1 board of such vessel; or, by willful breach of duty or by
2 neglect of duty or by reason of drunkenness, refuses or omits
3 to do any lawful act proper and requisite to be done by him
4 for preserving such vessel from immediate loss, destruction, or
5 serious damage, or for preserving any person belonging to or
6 on board of such ship from immediate danger to life or limb,
7 shall be imprisoned not more than one year.

8 § 2197. MISUSE OF FEDERAL CERTIFICATE, LICENSE OR
9 DOCUMENT

10 Whoever, not being lawfully entitled thereto, uses, ex-
11 hibits, or attempts to use or exhibit, or, with intent unlaw-
12 fully to use the same, receives or possesses any certificate,
13 license, or document issued to vessels, or officers or seamen
14 by any officer or employee of the United States authorized by
15 law to issue the same; or

16 Whoever, without authority, alters or attempts to alter
17 any such certificate, license, or document by addition, in-
18 terpolation, deletion, or erasure; or

19 Whoever forges, counterfeits, or steals, or attempts to
20 forge, counterfeit, or steal, any such certificate, license, or
21 document; or unlawfully possesses or knowingly uses any
22 such altered, changed, forged, counterfeit, or stolen cer-
23 tificate, license, or document; or

24 Whoever, without authority, prints or manufactures any
25 blank form of such certificate, license, or document, or

1 Whoever possesses without lawful excuse, and with in-
2 tent unlawfully to use the same, any blank form of such
3 certificate, license, or document; or

4 Whoever, in any manner, transfers or negotiates such
5 transfer of, any blank form of such certificate, license, or
6 document, or any such altered, forged, counterfeit, or stolen
7 certificate, license, or document, or any such certificate,
8 license, or document to which the party transferring or
9 receiving the same is not lawfully entitled—

10 Shall be fined not more than \$5,000 or imprisoned not
11 more than five years, or both.

12 § 2198. SEDUCTION OF FEMALE PASSENGER

13 Whoever, being a master, officer, seaman, or other
14 person employed on board of any American vessel, during
15 the voyage, under promise of marriage, or by threats, or the
16 exercise of authority, or solicitation, or the making of gifts
17 or presents, seduces and has illicit connection with any female
18 passenger, shall be fined not more than \$1,000 or imprisoned
19 not more than one year, or both.

20 Subsequent intermarriage of the parties may be pleaded
21 in bar of conviction and no conviction shall be had on the
22 testimony of the female seduced without other evidence.

23 § 2199. STOWAWAYS ON VESSELS OR AIRCRAFT

24 Whoever, without the consent of the owner, charterer
25 master or person in command of any vessel, or aircraft, with

1 intent to obtain transportation, boards, enters or secretes
2 himself aboard such vessel or aircraft and is thereon at the
3 time of departure of said vessel or aircraft from a port, har-
4 bor, wharf, airport or other place within the jurisdiction of
5 the United States; or

6 Whoever, with like intent, having boarded, entered or
7 secreted himself aboard a vessel or aircraft at any place
8 within or without the jurisdiction of the United States, re-
9 mains aboard after the vessel or aircraft has left such place
10 and is thereon at any place within the jurisdiction of the
11 United States; or

12 Whoever, with intent to obtain a ride or transportation,
13 boards or enters any aircraft owned or operated by the United
14 States without the consent of the person in command or other
15 duly authorized officer or agent—

16 Shall be fined not more than \$1,000 or imprisoned not
17 more than one year, or both.

18 The word “aircraft” as used in this section includes any
19 contrivance for navigation or flight in the air.

CHAPTER 109.—SEARCHES AND SEIZURES

Sec.

2231. Assault or resistance.

2232. Destruction or removal of property to prevent seizure.

2233. Rescue of seized property.

2234. Authority exceeded in executing warrant.

2235. Search warrant procured maliciously.

2236. Searches without warrant.

1 § 2231. ASSAULT OR RESISTANCE

2 (a) Whoever forcibly assaults, resists, opposes, pre-
3 vents, impedes, intimidates, or interferes with any person
4 authorized to serve or execute search warrants or to make
5 searches and seizures while engaged in the performance of
6 his duties with regard thereto or on account of the perform-
7 ance of such duties, shall be fined not more than \$5,000 or
8 imprisoned not more than three years, or both; and—

9 (b) Whoever, in committing any act in violation of
10 this section, uses any deadly or dangerous weapon, shall be
11 fined not more than \$10,000 or imprisoned not more than
12 ten years, or both.

13 § 2232. DESTRUCTION OR REMOVAL OF PROPERTY TO
14 PREVENT SEIZURE

15 Whoever, before, during, or after seizure of any prop-
16 erty by any person authorized to make searches and seizures,
17 in order to prevent the seizure or securing of any goods,
18 wares, or merchandise by such person, staves, breaks, throws
19 overboard, destroys, or removes the same, shall be fined not
20 more than \$2,000 or imprisoned not more than one year,
21 or both.

22 § 2233. RESCUE OF SEIZED PROPERTY

23 Whoever forcibly rescues, dispossesses, or attempts to
24 rescue or dispossess any property, articles, or objects after the

1 same shall have been taken, detained, or seized by any officer
2 or other person under the authority of any revenue law of the
3 United States, or by any person authorized to make searches
4 and seizures, shall be fined not more than \$2,000 or im-
5 prisoned not more than two years, or both.

6 § 2234. AUTHORITY EXCEEDED IN EXECUTING WARRANT

7 Whoever, in executing a search warrant, willfully ex-
8 ceeds his authority or exercises it with unnecessary severity,
9 shall be fined not more than \$1,000 or imprisoned not more
10 than one year.

11 § 2235. SEARCH WARRANT PROCURED MALICIOUSLY

12 Whoever maliciously and without probable cause pro-
13 cures a search warrant to be issued and executed, shall be
14 fined not more than \$1,000 or imprisoned not more than
15 one year.

16 § 2236. SEARCHES WITHOUT WARRANT

17 Whoever, being an officer, agent, or employee of the
18 United States or any department or agency thereof, engaged
19 in the enforcement of any law of the United States, searches
20 any private dwelling used and occupied as such dwelling
21 without a warrant directing such search, or maliciously
22 and without reasonable cause searches any other building
23 or property without a search warrant, shall be fined for a
24 first offense not more than \$1,000; and, for a subsequent

1 offense, shall be fined not more than \$1,000 or imprisoned
 2 not more than one year, or both.

3 This section shall not apply to any person—

4 (a) serving a warrant of arrest; or

5 (b) arresting or attempting to arrest a person
 6 committing or attempting to commit an offense in his
 7 presence, or who has committed or is suspected on
 8 reasonable grounds of having committed a felony; or

9 (c) making a search at the request or invitation
 10 or with the consent of the occupant of the premises.

CHAPTER 111.—SHIPPING

Sec.

2271. Conspiracy to destroy vessel.

2272. Destruction of vessel by owner.

2273. Destruction of vessel by nonowner.

2274. Destruction or misuse of vessel by person in charge.

2275. Firing or tampering with vessel.

2276. Breaking and entering vessel.

2277. Explosives or dangerous weapons aboard vessels.

2278. Explosives on vessels carrying steerage passengers.

2279. Boarding vessels before arrival.

11 § 2271. CONSPIRACY TO DESTROY VESSELS

12 Whoever, on the high seas, or within the United States,
 13 willfully and corruptly conspires, combines, and confederates
 14 with any other person, such other person being either within
 15 or without the United States, to cast away or otherwise
 16 destroy any vessel, with intent to injure any person that
 17 may have underwritten or may thereafter underwrite any
 18 policy of insurance thereon or on goods on board thereof,
 19 or with intent to injure any person that has lent or advanced,

1 or may lend or advance, any money on such vessel on bot-
2 tomry or respondentia; or

3 Whoever, within the United States, builds, or fits out
4 any vessel to be cast away or destroyed, with like intent—

5 Shall be fined not more than \$10,000 or imprisoned
6 not more than ten years, or both.

7 § 2272. DESTRUCTION OF VESSEL BY OWNER

8 Whoever, upon the high seas or on any other waters
9 within the admiralty and maritime jurisdiction of the United
10 States, willfully and corruptly casts away or otherwise de-
11 stroys any vessel of which he is owner, in whole or in part,
12 with intent to injure any person that may underwrite any
13 policy of insurance thereon, or any merchant that may have
14 goods thereon, or any other owner of such vessel, shall be
15 imprisoned for life or for any term of years.

16 § 2273. DESTRUCTION OF VESSEL BY NONOWNER

17 Whoever, not being an owner, upon the high seas or on
18 any other waters within the admiralty and maritime juris-
19 diction of the United States, willfully and corruptly casts
20 away or otherwise destroys any vessel of the United States to
21 which he belongs, or willfully attempts the destruction
22 thereof, shall be imprisoned not more than ten years.

1 § 2274. DESTRUCTION OR MISUSE OF VESSEL BY PERSON
2 IN CHARGE

3 Whoever, being the owner, master or person in charge
4 or command of any private vessel, foreign or domestic, or
5 a member of the crew or other person, within the territorial
6 waters of the United States, willfully causes or permits the
7 destruction or injury of such vessel or knowingly permits
8 said vessel to be used as a place of resort for any person
9 conspiring with another or preparing to commit any offense
10 against the United States, or any offense in violation of the
11 treaties of the United States or of the obligations of the
12 United States under the law of nations, or to defraud the
13 United States; or knowingly permits such vessels to be used
14 in violation of the rights and obligations of the United States
15 under the law of nations, shall be fined not more than
16 \$10,000 or imprisoned not more than ten years, or both.

17 In case such vessels are so used, with the knowledge
18 of the owner or master or other person in charge or com-
19 mand thereof, the vessel, together with her tackle, apparel,
20 furniture, and equipment, shall be subject to seizure and
21 forfeiture to the United States in the same manner as mer-
22 chandise is forfeited for violation of the customs revenue
23 laws.

1 § 2275. FIRING OR TAMPERING WITH VESSELS

2 Whoever sets fire to any vessel of foreign registry, or
3 any vessel of American registry entitled to engage in com-
4 merce with foreign nations, or to any vessel of the United
5 States, or to the cargo of the same, or tampers with the
6 motive power or instrumentalities of navigation of such ves-
7 sel, or places bombs or explosives in or upon such vessel, or
8 does any other act to or upon such vessel while within the
9 jurisdiction of the United States, or, if such vessel is of
10 American registry, while she is on the high sea, with intent
11 to injure or endanger the safety of the vessel or of her cargo,
12 or of persons on board, whether the injury or danger is so
13 intended to take place within the jurisdiction of the United
14 States, or after the vessel shall have departed therefrom
15 and whoever attempts to do so shall be fined not more than
16 \$10,000 or imprisoned not more than twenty years, or both.

17 § 2276. BREAKING AND ENTERING VESSEL

18 Whoever, upon the high seas or on any other waters
19 within the admiralty and maritime jurisdiction of the United
20 States, and out of the jurisdiction of any particular State,
21 breaks or enters any vessel with intent to commit any
22 felony, or maliciously cuts, spoils, or destroys any cordage,
23 cable, buoys, buoy rope, head fast, or other fast, fixed to the
24 anchor or moorings belonging to any vessel, shall be fined

1 not more than \$1,000 or imprisoned not more than five
2 years, or both.

3 § 2277. EXPLOSIVES OR DANGEROUS WEAPONS ABOARD
4 VESSELS

5 (a) Whoever brings, carries, or possesses any danger-
6 ous weapon, instrument, or device, or any dynamite, nitro-
7 glycerine, or other explosive article or compound on board
8 of any vessel registered, enrolled, or licensed under the
9 laws of the United States, or any vessel purchased, requis-
10 itioned, chartered, or taken over by the United States pur-
11 suant to the provisions of Act June 6, 1941, ch. 174, 55
12 Stat. 242, as amended, without previously obtaining the
13 permission of the owner or the master of such vessel; or

14 Whoever brings, carries, or possesses any such weapon
15 or explosive on board of any vessel in the possession and
16 under the control of the United States or which has been
17 seized and forfeited by the United States or upon which a
18 guard has been placed by the United States pursuant to
19 the provisions of section 191 of Title 50, without previously
20 obtaining the permission of the captain of the port in which
21 such vessel is located, shall be fined not more than \$1,000
22 or imprisoned not more than one year, or both.

23 (b) This section shall not apply to the personnel of
24 the Armed Forces of the United States or to officers or

1 employees of the United States or of a State or of a political
2 subdivision thereof, while acting in the performance of their
3 duties, who are authorized by law or by rules or regulations
4 to own or possess any such weapon or explosive.

5 § 2278. EXPLOSIVES ON VESSELS CARRYING STEERAGE
6 PASSENGERS

7 Whoever, being the master of a steamship or other
8 vessel referred to in section 151 of Title 46, except as
9 otherwise expressly provided by law, takes, carries, or has
10 on board of any such vessel any nitroglycerin, dynamite,
11 or any other explosive article or compound, or any vitriol
12 or like acids, or gunpowder, except for the ship's use, or
13 any article or number of articles, whether as a cargo or
14 ballast, which, by reason of the nature or quantity or mode
15 of storage thereof, shall, either singly or collectively, be
16 likely to endanger the health or lives of the passengers
17 or the safety of the vessel, shall be fined not more than
18 \$1,000 or imprisoned not more than one year, or both.

19 § 2279. BOARDING VESSELS BEFORE ARRIVAL

20 Whoever, not being in the United States service, and
21 not being duly authorized by law for the purpose, goes on
22 board any vessel about to arrive at the place of her destina-
23 tion, before her actual arrival, and before she has been com-
24 pletely moored, shall be fined not more than \$200 or im-
25 prisoned not more than six months, or both.

1 The master of such vessel may take any such person
 2 into custody, and deliver him up forthwith to any law en-
 3 forcement officer, to be by him taken before any committing
 4 magistrate, to be dealt with according to law.

CHAPTER 113.—STOLEN PROPERTY

Sec.

2311. Definitions.

2312. Transportation of stolen vehicles.

2313. Sale or receipt of stolen vehicles.

2314. Transportation of stolen goods, securities, monies, or articles used
 in counterfeiting.

2315. Sale or receipt of stolen goods, securities, or monies.

2316. Transportation of cattle.

2317. Sale or receipt of cattle.

5 § 2311. DEFINITIONS

6 As used in this chapter:

7 “Aircraft” means any contrivance now known or here-
 8 after invented, used, or designed for navigation of or for
 9 flight in the air;

10 “Cattle” means one or more bulls, steers, oxen, cows,
 11 heifers, or calves, or the carcass or carcasses thereof;

12 “Money” means the legal tender of the United States or
 13 of any foreign country, or any counterfeit thereof;

14 “Motor vehicle” includes an automobile, automobile
 15 truck, automobile wagon, motorcycle, or any other self-pro-
 16 pelled vehicle designed for running on land but not on rails;

17 “Securities” includes any note, stock certificate, bond,
 18 debenture, check, draft, warrant, traveler’s check, letter of
 19 credit, warehouse receipt, negotiable bill of lading, evidence
 20 of indebtedness, certificate of interest or participation in any

1 profit-sharing agreement, collateral-trust certificate, pre-
2 organization certificate or subscription, transferable share,
3 investment contract, voting-trust certificate; certificate of
4 interest in property, tangible or intangible; instrument or
5 document or writing evidencing ownership of goods, wares,
6 and merchandise, or transferring or assigning any right, title,
7 or interest in or to goods, wares, and merchandise; or, in
8 general, any instrument commonly known as a "security",
9 or any certificate of interest or participation in, temporary
10 or interim certificate for, receipt for, warrant, or right to
11 subscribe to or purchase any of the foregoing, or any forged,
12 counterfeited, or spurious representation of any of the fore-
13 going;

14 "Value" means the face, par, or market value, which-
15 ever is the greatest, and the aggregate value of all goods,
16 wares, and merchandise, securities, and money referred to
17 in a single indictment shall constitute the value thereof.

18 § 2312. TRANSPORTATION OF STOLEN VEHICLES

19 Whoever transports in interstate or foreign commerce
20 a motor vehicle or aircraft, knowing the same to have been
21 stolen, shall be fined not more than \$5,000 or imprisoned
22 not more than five years, or both.

23 § 2313. SALE OR RECEIPT OF STOLEN VEHICLES

24 Whoever receives, conceals, stores, barter, sells, or dis-
25 poses of any motor vehicle or aircraft, moving as, or which

1 is a part of, or which constitutes interstate or foreign com-
2 merce, knowing the same to have been stolen, shall be fined
3 not more than \$5,000 or imprisoned not more than five
4 years, or both.

5 § 2314. TRANSPORTATION OF STOLEN GOODS, SECUR-
6 ITIES, MONIES, OR ARTICLES USED IN COUN-
7 TERFEITING

8 Whoever knowingly transports in interstate or foreign
9 commerce any goods, wares, or merchandise, securities, or
10 money, of the value of \$5,000 or more theretofore stolen,
11 converted, or taken by fraud; or

12 Whoever, with unlawful or fraudulent intent, transports
13 in interstate or foreign commerce any falsely made, forged,
14 altered, or counterfeited securities, knowing the same to have
15 been falsely made, forged, altered, or counterfeited; or

16 Whoever, with unlawful or fraudulent intent, transports
17 in interstate or foreign commerce, any tool, implement, or
18 thing used or fitted to be used in falsely making, forging,
19 altering, or counterfeiting any security, or any part thereof—

20 Shall be fined not more than \$10,000 or imprisoned not
21 more than ten years, or both.

22 This section shall not apply to any falsely made, forged,
23 altered, counterfeited or spurious representation of an obliga-
24 tion or other security of the United States, or of an obligation,
25 bond, certificate, security, treasury note, bill, promise to pay

1 or bank note issued by any foreign government or by a bank
2 or corporation of any foreign country.

3 § 2315. SALE OR RECEIPT OF STOLEN GOODS, SECURITIES,
4 OR MONIES

5 Whoever receives, conceals, stores, barter, sells, or dis-
6 poses of any goods, wares, or merchandise, securities, or
7 money of the value of \$5,000 or more, or pledges or accepts
8 as security for a loan any goods, wares, or merchandise, or
9 securities, of the value of \$500 or more, moving as, or which
10 are a part of, or which constitute interstate or foreign com-
11 merce, knowing the same to have been stolen, unlawfully
12 converted, or taken; or

13 Whoever receives, conceals, stores, barter, sells, or dis-
14 poses of any falsely made, forged, altered, or counterfeited
15 securities, or pledges or accepts as security for a loan any
16 falsely made, forged, altered, or counterfeited securities, mov-
17 ing as, or which are a part of, or which constitute interstate
18 or foreign commerce, knowing the same to have been so
19 falsely made, forged, altered, or counterfeited; or

20 Whoever receives in interstate or foreign commerce, or
21 conceals, stores, barter, sells, or disposes of, any tool, imple-
22 ment, or thing used or intended to be used in falsely making,
23 forging, altering, or counterfeiting any security, or any part
24 thereof, moving as, or which is a part of, or which consti-
25 tutes interstate or foreign commerce, knowing that the same

1 is fitted to be used, or has been used, in falsely making, forg-
 2 ing, altering, or counterfeiting any security, or any part
 3 thereof—

4 Shall be fined not more than \$10,000 or imprisoned not
 5 more than ten years, or both.

6 This section shall not apply to any falsely made, forged,
 7 altered, counterfeited, or spurious representation of an obli-
 8 gation or other security of the United States or of an obli-
 9 gation, bond, certificate, security, treasury note, bill, promise
 10 to pay, or bank note, issued by any foreign government or
 11 by a bank or corporation of any foreign country.

12 § 2316. TRANSPORTATION OF CATTLE

13 Whoever transports in interstate or foreign commerce
 14 any cattle, knowing the same to have been stolen, shall be
 15 fined not more than \$5,000 or imprisoned not more than
 16 five years, or both.

17 § 2317. SALE OR RECEIPT OF CATTLE

18 Whoever receives, conceals, stores, barter, buys, sells,
 19 or disposes of any cattle, moving in or constituting a part of
 20 interstate or foreign commerce, knowing the same to have
 21 been stolen, shall be fined not more than \$5,000 or impris-
 22 oned not more than five years, or both.

CHAPTER 115.—TREASON, SEDITION, AND SUBVERSIVE ACTIVITIES

Sec.

2381. Treason.

2382. Misprision of treason.

2383. Rebellion or insurrection.

Sec.

2384. Seditious conspiracy.

2385. Advocating overthrow of Government.

2386. Registration of certain organizations.

2387. Activities affecting armed forces generally.

2388. Activities affecting armed forces during war.

2389. Recruiting for service against United States.

2390. Enlistment to serve against United States.

1 § 2381. TREASON

2 Whoever, owing allegiance to the United States, levies
3 war against them or adheres to their enemies, giving them
4 aid and comfort within the United States or elsewhere, is
5 guilty of treason and shall suffer death, or shall be imprisoned
6 not less than five years and fined not less than \$10,000; and
7 shall be incapable of holding any office under the United
8 States.

9 § 2382. MISPRISION OF TREASON

10 Whoever, owing allegiance to the United States and
11 having knowledge of the commission of any treason against
12 them, conceals and does not, as soon as may be, disclose and
13 make known the same to the President or to some judge of
14 the United States, or to the governor or to some judge or
15 justice of a particular State, is guilty of misprision of treason
16 and shall be fined not more than \$1,000 or imprisoned not
17 more than seven years, or both.

18 § 2383. REBELLION OR INSURRECTION

19 Whoever incites, sets on foot, assists, or engages in any
20 rebellion or insurrection against the authority of the United
21 States or the laws thereof, or gives aid or comfort thereto,

1 shall be fined not more than \$10,000 or imprisoned not more
2 than ten years, or both; and shall be incapable of holding any
3 office under the United States.

4 § 2384. SEDITIOUS CONSPIRACY

5 If two or more persons in any State or Territory, or
6 in any place subject to the jurisdiction of the United States,
7 conspire to overthrow, put down, or to destroy by force the
8 Government of the United States, or to levy war against
9 them, or to oppose by force the authority thereof, or by force
10 to prevent, hinder, or delay the execution of any law of the
11 United States, or by force to seize, take, or possess any
12 property of the United States contrary to the authority
13 thereof, they shall each be fined not more than \$5,000 or
14 imprisoned not more than six years, or both.

15 § 2385. ADVOCATING OVERTHROW OF GOVERNMENT

16 Whoever knowingly or willfully advocates, abets, ad-
17 vises, or teaches the duty, necessity, desirability, or propriety
18 of overthrowing or destroying the government of the United
19 States or the government of any State, Territory, District
20 or Possession thereof, or the government of any political sub-
21 division therein, by force or violence, or by the assassination
22 of any officer of any such government; or

23 Whoever, with intent to cause the overthrow or destruc-
24 tion of any such government, prints, publishes, edits,
25 issues, circulates, sells, distributes, or publicly displays any

1 written or printed matter advocating, advising, or teaching
2 the duty, necessity, desirability, or propriety of overthrowing
3 or destroying any government in the United States by force
4 or violence, or attempts to do so; or

5 Whoever organizes or helps or attempts to organize any
6 society, group, or assembly of persons who teach, advocate,
7 or encourage the overthrow or destruction of any such gov-
8 ernment by force or violence; or becomes or is a member of,
9 or affiliates with, any such society, group, or assembly of
10 persons, knowing the purposes thereof—

11 Shall be fined not more than \$10,000 or imprisoned
12 not more than ten years, or both, and shall be ineligible for
13 employment by the United States or any department or
14 agency thereof, for the five years next following his con-
15 viction.

16 § 2386. REGISTRATION OF CERTAIN ORGANIZATIONS

17 (A) For the purposes of this section:

18 “Attorney General” means the Attorney General of the
19 United States;

20 “Organization” means any group, club, league, society,
21 committee, association, political party, or combination of
22 individuals, whether incorporated or otherwise, but such
23 term shall not include any corporation, association, com-
24 munity chest, fund, or foundation, organized and operated

1 exclusively for religious, charitable, scientific, literary, or
2 educational purposes;

3 "Political activity" means any activity the purpose or
4 aim of which, or one of the purposes or aims of which, is
5 the control by force or overthrow of the Government of the
6 United States or a political subdivision thereof, or any State
7 or political subdivision thereof;

8 An organization is engaged in "civilian military ac-
9 tivity" if:

10 (1) it gives instruction to, or prescribes instruc-
11 tion for, its members in the use of firearms or other
12 weapons or any substitute therefor, or military or naval
13 science; or

14 (2) it receives from any other organization or
15 from any individual instruction in military or naval
16 science; or

17 (3) it engages in any military or naval maneuvers
18 or activities; or

19 (4) it engages, either with or without arms, in
20 drills or parades of a military or naval character; or

21 (5) it engages in any other form of organized activ-
22 ity which in the opinion of the Attorney General con-
23 stitutes preparation for military action;

24 An organization is "subject to foreign control" if:

1 (a) it solicits or accepts financial contributions,
2 loans, or support of any kind, directly or indirectly,
3 from, or is affiliated directly or indirectly with, a foreign
4 government or a political subdivision thereof, or an
5 agent, agency, or instrumentality of a foreign govern-
6 ment or political subdivision thereof, or a political party
7 in a foreign country, or an international political organ-
8 ization; or

9 (b) its policies, or any of them, are determined by
10 or at the suggestion of, or in collaboration with, a
11 foreign government or political subdivision thereof, or
12 an agent, agency, or instrumentality of a foreign govern-
13 ment or a political subdivision thereof, or a political party
14 in a foreign country, or an international political
15 organization.

16 (B) (1) The following organizations shall be required
17 to register with the Attorney General:

18 Every organization subject to foreign control which
19 engages in political activity;

20 Every organization which engages both in civilian mili-
21 tary activity and in political activity;

22 Every organization subject to foreign control which en-
23 gages in civilian military activity; and

24 Every organization, the purpose or aim of which, or
25 one of the purposes or aims of which, is the establishment,

1 control, conduct, seizure, or overthrow of a government or
2 subdivision thereof by the use of force, violence, military
3 measures, or threats of any one or more of the foregoing.

4 Every such organization shall register by filing with the
5 Attorney General, on such forms and in such detail as the
6 Attorney General may by rules and regulations prescribe, a
7 registration statement containing the information and docu-
8 ments prescribed in subsection (B) (3) and shall within
9 thirty days after the expiration of each period of six months
10 succeeding the filing of such registration statement, file with
11 the Attorney General, on such forms and in such detail
12 as the Attorney General may by rules and regulations pre-
13 scribe, a supplemental statement containing such informa-
14 tion and documents as may be necessary to make the informa-
15 tion and documents previously filed under this section
16 accurate and current with respect to such preceding six
17 months' period. Every statement required to be filed by
18 this section shall be subscribed, under oath, by all of the
19 officers of the organization.

20 (2) This section shall not require registration or the
21 filing of any statement with the Attorney General by:

22 (a) The armed forces of the United States; or

23 (b) The organized militia or National Guard of any
24 State, Territory, District, or possession of the United States;

25 or

1 (c) Any law-enforcement agency of the United States
2 or of any Territory, District or possession thereof, or of any
3 State or political subdivision of a State, or of any agency or
4 instrumentality of one or more States; or

5 (d) Any duly established diplomatic mission or consular
6 office of a foreign government which is so recognized by the
7 Department of State; or

8 (e) Any nationally recognized organization of persons
9 who are veterans of the armed forces of the United States,
10 or affiliates of such organizations.

11 (3) Every registration statement required to be filed by
12 any organization shall contain the following information and
13 documents:

14 (a) The name and post-office address of the organiza-
15 tion in the United States, and the names and addresses of
16 all branches, chapters, and affiliates of such organization;

17 (b) The name, address, and nationality of each officer,
18 and of each person who performs the functions of an officer,
19 of the organization, and of each branch, chapter, and affiliate
20 of the organization;

21 (c) The qualifications for membership in the organ-
22 ization;

23 (d) The existing and proposed aims and purposes of
24 the organization, and all the means by which these aims or
25 purposes are being attained or are to be attained;

1 (e) The address or addresses of meeting places of the
2 organization, and of each branch, chapter, or affiliate of the
3 organization, and the times of meetings;

4 (f) The name and address of each person who has con-
5 tributed any money, dues, property, or other thing of value
6 to the organization or to any branch, chapter, or affiliate of
7 the organization;

8 (g) A detailed statement of the assets of the organi-
9 zation, and of each branch, chapter, and affiliate of the
10 organization, the manner in which such assets were acquired,
11 and a detailed statement of the liabilities and income of the
12 organization and of each branch, chapter, and affiliate of the
13 organization;

14 (h) A detailed description of the activities of the
15 organization, and of each chapter, branch, and affiliate of the
16 organization;

17 (i) A description of the uniforms, badges, insignia, or
18 other means of identification prescribed by the organization,
19 and worn or carried by its officers or members, or any of
20 such officers or members;

21 (j) A copy of each book, pamphlet, leaflet, or other
22 publication or item of written, printed, or graphic matter
23 issued or distributed directly or indirectly by the organi-
24 zation, or by any chapter, branch, or affiliate of the organ-
25 ization, or by any of the members of the organization under

1 its authority or within its knowledge, together with the name
2 of its author or authors and the name and address of the
3 publisher;

4 (k) A description of all firearms or other weapons
5 owned by the organization, or by any chapter, branch, or
6 affiliate of the organization, identified by the manufacturer's
7 number thereon;

8 (l) In case the organization is subject to foreign con-
9 trol, the manner in which it is so subject;

10 (m) A copy of the charter, articles of association, con-
11 stitution, bylaws, rules, regulations, agreements, resolutions,
12 and all other instruments relating to the organization,
13 powers, and purposes of the organization and to the powers
14 of the officers of the organization and of each chapter, branch,
15 and affiliate of the organization; and

16 (n) Such other information and documents pertinent to
17 the purposes of this section as the Attorney General may
18 from time to time require.

19 All statements filed under this section shall be public
20 records and open to public examination and inspection at all
21 reasonable hours under such rules and regulations as the
22 Attorney General may prescribe.

23 (C) The Attorney General is authorized at any time
24 to make, amend, and rescind such rules and regulations as

1 may be necessary to carry out this section, including rules
2 and regulations governing the statements required to be filed.

3 (D) Whoever violates any of the provisions of this sec-
4 tion shall be fined not more than \$10,000 or imprisoned not
5 more than five years, or both.

6 Whoever in a statement filed pursuant to this section
7 willfully makes any false statement or willfully omits to state
8 any fact which is required to be stated, or which is necessary
9 to make the statements made not misleading, shall be fined
10 not more than \$2,000 or imprisoned not more than five
11 years, or both.

12 § 2387. ACTIVITIES AFFECTING ARMED FORCES GEN-
13 ERALLY

14 (a) Whoever, with intent to interfere with, impair, or
15 influence the loyalty, morale, or discipline of the military
16 or naval forces of the United States:

17 (1) advises, counsels, urges, or in any manner causes
18 or attempts to cause insubordination, disloyalty, mutiny, or
19 refusal of duty by any member of the military or naval forces
20 of the United States; or

21 (2) distributes or attempts to distribute any written or
22 printed matter which advises, counsels, or urges insubordi-
23 nation, disloyalty, mutiny, or refusal of duty by any member
24 of the military or naval forces of the United States—

1 Shall be fined not more than \$10,000 or imprisoned not
2 more than ten years, or both, and shall be ineligible for em-
3 ployment by the United States or any department or agency
4 thereof, for the five years next following his conviction.

(b) For the purposes of this section, the term "military or naval forces of the United States" includes the Army of the United States, the Navy, Marine Corps, Coast Guard, Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve of the United States; and, when any merchant vessel is commissioned in the Navy or is in the service of the Army or the Navy, includes the master, officers, and crew of such vessel.

13 § 2388. ACTIVITIES AFFECTING ARMED FORCES DURING
14 WAR

15 (a) Whoever, when the United States is at war, will-
16 fully makes or conveys false reports or false statements with
17 intent to interfere with the operation or success of the mili-
18 tary or naval forces of the United States or to promote the
19 success of its enemies; or

20 Whoever, when the United States is at war, willfully
21 causes or attempts to cause insubordination, disloyalty,
22 mutiny, or refusal of duty, in the military or naval forces of
23 the United States, or willfully obstructs the recruiting or

1 enlistment service of the United States, to the injury of the
2 service or the United States, or attempts to do so—

3 Shall be fined not more than \$10,000 or imprisoned not
4 more than twenty years, or both.

5 (b) If two or more persons conspire to violate sub-
6 section (a) of this section and one or more of such persons
7 do any act to effect the object of the conspiracy, each of the
8 parties to such conspiracy shall be punished as provided in
9 said subsection (a).

10 (c) Whoever harbors or conceals any person who he
11 knows, or has reasonable grounds to believe or suspect, has
12 committed, or is about to commit, an offense under this sec-
13 tion, shall be fined not more than \$10,000 or imprisoned not
14 more than ten years, or both.

15 (d) This section shall apply within the admiralty and
16 maritime jurisdiction of the United States, and on the high
17 seas, as well as within the United States.

18 § 2389. RECRUITING FOR SERVICE AGAINST UNITED
19 STATES

20 Whoever recruits soldiers or sailors within the United
21 States, or in any place subject to the jurisdiction thereof, to
22 engage in armed hostility against the same; or

23 Whoever opens within the United States, or in any place

1 subject to the jurisdiction thereof, a recruiting station for the
 2 enlistment of such soldiers or sailors to serve in any manner
 3 in armed hostility against the United States—

4 Shall be fined not more than \$1,000 or imprisoned not
 5 more than five years, or both.

6 § 2390. ENLISTMENT TO SERVE AGAINST UNITED STATES

7 Whoever enlists or is engaged within the United States
 8 or in any place subject to the jurisdiction thereof, with intent
 9 to serve in armed hostility against the United States, shall
 10 be fined \$100 or imprisoned not more than three years, or
 11 both.

CHAPTER 117.—WHITE SLAVE TRAFFIC

Sec.

2421. Transportation generally.

2422. Coercion or enticement of female.

2423. Coercion or enticement of minor female.

2424. Filing factual statement about alien female.

12 § 2421. TRANSPORTATION GENERALLY

13 Whoever knowingly transports in interstate or foreign
 14 commerce, or in the District of Columbia or in any Territory
 15 or Possession of the United States, any woman or girl for
 16 the purpose of prostitution or debauchery, or for any other
 17 immoral purpose, or with the intent and purpose to induce,
 18 entice, or compel such woman or girl to become a prostitute
 19 or to give herself up to debauchery, or to engage in any
 20 other immoral practice; or

21 Whoever knowingly procures or obtains any ticket or
 22 tickets, or any form of transportation or evidence of the right

1 thereto, to be used by any woman or girl in interstate or
2 foreign commerce, or in the District of Columbia or any
3 Territory or Possession of the United States, in going to any
4 place for the purpose of prostitution or debauchery, or for
5 any other immoral purpose, or with the intent or purpose
6 on the part of such person to induce, entice, or compel her
7 to give herself up to the practice of prostitution, or to give
8 herself up to debauchery, or any other immoral practice,
9 whereby any such woman or girl shall be transported in
10 interstate or foreign commerce, or in the District of Columbia
11 or any Territory or Possession of the United States—

12 Shall be fined not more than \$5,000 or imprisoned not
13 more than five years, or both.

14 § 2422. COERCION OR ENTICEMENT OF FEMALE

15 Whoever knowingly persuades, induces, entices, or
16 coerces any woman or girl to go from one place to another
17 in interstate or foreign commerce, or in the District of Colum-
18 bia or in any Territory or Possession of the United States,
19 for the purpose of prostitution or debauchery, or for any
20 other immoral purpose, or with the intent and purpose on
21 the part of such person that such woman or girl shall engage
22 in the practice of prostitution or debauchery, or any other
23 immoral practice, whether with or without her consent, and
24 thereby knowingly causes such woman or girl to go and to
25 be carried or transported as a passenger upon the line or

1 route of any common carrier or carriers in interstate or
2 foreign commerce, or in the District of Columbia or in any
3 Territory or Possession of the United States, shall be fined
4 not more than \$5,000 or imprisoned not more than five
5 years, or both.

6 § 2423. COERCION OR ENTICEMENT OF MINOR FEMALE

7 Whoever knowingly persuades, induces, entices, or
8 coerces any woman or girl who has not attained her
9 eighteenth birthday, to go from one place to another by
10 common carrier, in interstate commerce or within the Dis-
11 trict of Columbia or any Territory or Possession of the
12 United States, with intent that she be induced or coerced
13 to engage in prostitution, debauchery or other immoral
14 practice, shall be fined not more than \$10,000 or imprisoned
15 not more than ten years, or both.

16 § 2424. FILING FACTUAL STATEMENT ABOUT ALIEN
17 FEMALE

18 (a) Whoever keeps, maintains, controls, supports, or
19 harbors in any house or place for the purpose of prostitution,
20 or for any other immoral purpose, any alien woman or girl
21 within three years after she has entered the United States
22 from any country, party to the arrangement adopted July
23 25, 1902, for the suppression of the white-slave traffic, shall
24 file with the Commissioner of Immigration and Naturaliza-
25 tion a statement in writing setting forth the name of such

1 alien woman or girl, the place at which she is kept, and
2 all facts as to the date of her entry into the United States,
3 the port through which she entered, her age, nationality,
4 and parentage, and concerning her procurement to come to
5 this country within the knowledge of such person; and

6 Whoever fails within thirty days after commencing to
7 keep, maintain, control, support, or harbor in any house or
8 place for the purpose of prostitution, or for any other im-
9 moral purpose, any alien woman or girl within three years
10 after she has entered the United States from any country,
11 party to the said arrangement for the suppression of the
12 white-slave traffic, to file such statement concerning such
13 alien woman or girl with the Commissioner of Immigration
14 and Naturalization; or

15 Whoever knowingly and willfully states falsely or fails
16 to disclose in such statement any fact within his knowledge
17 or belief with reference to the age, nationality, or parentage
18 of any such alien woman or girl, or concerning her procura-
19 tion to come to this country—

20 Shall be fined not more than \$2,000 or imprisoned not
21 more than two years, or both.

22 (b) In any prosecution brought under this section,
23 if it appears that any such statement required is not on file in
24 the office of the Commissioner of Immigration and Naturali-

1 zation, the person whose duty it is to file such statement shall
 2 be presumed to have failed to file said statement, unless
 3 such person or persons shall prove otherwise. No person
 4 shall be excused from furnishing the statement, as required
 5 by this section, on the ground or for the reason that the
 6 statement so required by him, or the information therein
 7 contained, might tend to criminate him or subject him to
 8 a penalty or forfeiture, but no person shall be prosecuted or
 9 subjected to any penalty or forfeiture under any law of the
 10 United States for or on account of any transaction, matter,
 11 or thing, concerning which he may truthfully report in such
 12 statement.

PART II—CRIMINAL PROCEDURE

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- 1 § 3001. PROCEDURE GOVERNED BY RULES; SCOPE, PUR-
2 POSE AND EFFECT; DEFINITION OF TERMS;
3 LOCAL RULES; FORMS—(RULE)

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- 4 § 3002. COURTS ALWAYS OPEN—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

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- 5 § 3003. CALENDARS—(RULE)

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SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Photographing or radio broadcasting prohibited, Rule 53.

- 7 § 3005. COUNSEL AND WITNESSES IN CAPITAL CASES

8 Whoever is indicted for treason or other capital crime
9 shall be allowed to make his full defense by counsel learned
10 in the law; and the court before which he is tried, or some
11 judge thereof, shall immediately, upon his request, assign

1 to him such counsel, not exceeding two, as he may desire,
 2 who shall have free access to him at all reasonable hours.
 3 He shall be allowed, in his defense to make any proof that
 4 he can produce by lawful witnesses, and shall have the like
 5 process of the court to compel his witnesses to appear at his
 6 trial, as is usually granted to compel witnesses to appear on
 7 behalf of the prosecution.

8 § 3006. ASSIGNMENT OF COUNSEL—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

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9 § 3007. MOTIONS—(RULE)

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12 § 3010. EXCEPTIONS UNNECESSARY—(RULE)

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13 § 3011. COMPUTATION OF TIME—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

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1 § 3012. ORDERS RESPECTING PERSONS IN CUSTODY

2 Prisoners or persons in custody shall be brought into
 3 court or returned on order of the Court or of the United
 4 States Attorney, for which no fee shall be charged and no
 5 writ required.

CHAPTER 203.—ARREST AND COMMITMENT

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- 3041. Power of courts and magistrates.
- 3042. Extraterritorial jurisdiction.
- 3043. Security of the peace and good behavior.
- 3044. Complaint—Rule.
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- 3046. Warrants or summons—Rule.
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- 3048. Commitment to another district; removal—Rule.
- 3049. Warrant for removal.
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- 3056. Secret Service powers.
- 3057. Bankruptcy investigations.
- 3058. Interned belligerent nationals.
- 3059. Rewards and appropriations therefor.
- 3060. Preliminary examination—Rule.

6 § 3041. POWER OF COURTS AND MAGISTRATES

7 For any offense against the United States, the offender
 8 may, by any justice or judge of the United States, or by any
 9 United States commissioner, or by any chancellor, judge of
 10 a supreme or superior court, chief or first judge of common
 11 pleas, mayor of a city, justice of the peace, or other magis-
 12 trate, of any state where the offender may be found, and at

1 the expense of the United States, be arrested and imprisoned,
2 or bailed, as the case may be, for trial before such court of
3 the United States as by law has cognizance of the offense.
4 Copies of the process shall be returned as speedily as may
5 be into the office of the clerk of such court, together with
6 the recognizances of the witnesses for their appearances to
7 testify in the case.

8 A United States judge or commissioner shall proceed
9 under this section according to rules promulgated by the
10 Supreme Court of the United States. Any state judge or
11 magistrate acting hereunder may proceed according to the
12 usual mode of procedure of his state but his acts and orders
13 shall have no effect beyond determining to hold the prisoner
14 for trial or to discharge him from arrest.

15 § 3042. EXTRATERRITORIAL JURISDICTION

16 Section 3041 of this title shall apply in any country
17 where the United States exercises extraterritorial jurisdiction
18 for the arrest and removal therefrom to the United States
19 of any citizen or national of the United States who is a
20 fugitive from justice charged with or convicted of the com-
21 mission of any offense against the United States, and shall
22 also apply throughout the United States for the arrest and
23 removal therefrom to the jurisdiction of any officer or repre-
24 sentative of the United States vested with judicial authority
25 in any country in which the United States exercises extra-

1 territorial jurisdiction, of any citizen or national of the
2 United States who is a fugitive from justice charged with or
3 convicted of the commission of any offense against the
4 United States in any country where it exercises extraterri-
5 torial jurisdiction.

6 Such fugitive first mentioned may, by any officer or
7 representative of the United States vested with judicial
8 authority in any country in which the United States exercises
9 extraterritorial jurisdiction and agreeably to the usual mode
10 of process against offenders subject to such jurisdiction, be
11 arrested and imprisoned or admitted to bail, as the case may
12 be, pending the issuance of a warrant for his removal, which
13 warrant the principal officer or representative of the United
14 States vested with judicial authority in the country where
15 the fugitive shall be found shall seasonably issue, and the
16 United States marshal or corresponding officer shall execute.

17 Such marshal or other officer, or the deputies of such
18 marshal or officer, when engaged in executing such warrant
19 without the jurisdiction of the court to which they are at-
20 tached, shall have all the powers of a marshal of the United
21 States so far as such powers are requisite for the prisoner's
22 safekeeping and the execution of the warrant.

23 § 3043. SECURITY OF THE PEACE AND GOOD BEHAVIOR

24 The justices or judges of the United States, the United
25 States commissioners, and the judges and other magistrates

1 of the several States, who are or may be authorized by law
 2 to make arrests for offenses against the United States, shall
 3 have the like authority to hold to security of the peace and
 4 for good behavior, in cases arising under the Constitution
 5 and laws of the United States, as may be lawfully exercised
 6 by any judge or justice of the peace of the respective States,
 7 in cases cognizable before them.

8 § 3044. COMPLAINT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Contents of complaint; oath, Rule 3.

9 § 3045. INTERNAL REVENUE VIOLATIONS

10 Warrants of arrest for violations of internal revenue laws
 11 may be issued by United States commissioners upon the
 12 complaint of a United States attorney, assistant United States
 13 attorney, collector, or deputy collector of internal revenue
 14 or revenue agent, or private citizen; but no such warrant of
 15 arrest shall be issued upon the complaint of a private citizen
 16 unless first approved in writing by a United States attorney.

17 § 3046. WARRANT OR SUMMONS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Issuance upon complaint, Rule 4.

Issuance upon indictment, Rule 9.

Summons on request of government; form; contents; service; return, Rules 4, 9.

18 § 3047. MULTIPLE WARRANTS UNNECESSARY

19 When two or more charges are made, or two or more
 20 indictments are found against any person, only one writ or
 21 warrant shall be necessary to commit him for trial. It shall

1 be sufficient to state in the writ the name or general char-
2 acter of the offenses, or to refer to them only in general
3 terms.

4 § 3048. COMMITMENT TO ANOTHER DISTRICT; REMOVAL—
5 (RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Arrest in nearby or distant districts; informative statement by judge or com-
missioner; hearing and removal; warrant; Rule 40.

6 § 3049. WARRANT FOR REMOVAL

7 Only one writ or warrant is necessary to remove a pris-
8 oner from one district to another. One copy thereof may be
9 delivered to the sheriff or jailer from whose custody the
10 prisoner is taken, and another to the sheriff or jailer to whose
11 custody he is committed, and the original writ, with the
12 marshal's return thereon, shall be returned to the clerk of
13 the district to which he is removed.

14 § 3050. BUREAU OF PRISONS EMPLOYEES' POWERS

15 An officer or employee of the Bureau of Prisons of the
16 Department of Justice may make arrests without warrant for
17 violations of any of the provisions of sections 751, 752, 1791,
18 or 1792 of this title, if he has reasonable grounds to believe
19 that the arrested person is guilty of such offense, and if there
20 is likelihood of his escaping before a warrant can be obtained
21 for his arrest. If the arrested person is a fugitive from cus-
22 tody, he shall be returned to custody. Officers and employees

1 of the said Bureau of Prisons may carry firearms under such
2 rules and regulations as the Attorney General may prescribe.

3 § 3051. EXTRADITION AGENT'S POWERS

4 Any appointed agent to receive, in behalf of the United
5 States, the delivery, by a foreign government, of any person
6 accused of crime committed within the jurisdiction of the
7 United States, and to convey him to the place of his trial,
8 shall have all the powers of a marshal of the United States,
9 in the several districts through which it may be necessary
10 for him to pass with such prisoner, so far as such power is
11 requisite for the prisoner's safekeeping.

12 § 3052. POWERS OF FEDERAL BUREAU OF INVESTIGATION

13 The Director, Assistant Directors, inspectors, and agents
14 of the Federal Bureau of Investigation of the Department
15 of Justice may carry firearms, serve warrants and subpoenas
16 issued under the authority of the United States and make
17 arrests without warrant for felonies cognizable under the
18 laws of the United States, where the person making the
19 arrest has reasonable grounds to believe that the person
20 arrested is guilty of such felony and there is a likelihood
21 of his escaping before a warrant can be obtained for his
22 arrest.

23 § 3053. POWERS OF MARSHALS AND DEPUTIES

24 United States marshals and their deputies may carry
25 firearms and may make arrests without warrant for any

1 offense against the United States committed in their presence,
2 or for any felony cognizable under the laws of the United
3 States if they have reasonable grounds to believe that the
4 person to be arrested has committed or is committing such
5 felony.

6 § 3054. OFFICER'S POWERS INVOLVING ANIMALS AND
7 BIRDS

8 Any employee authorized by the Secretary of the In-
9 terior to enforce sections 43 and 44 of this title, and any
10 officer of the customs, may arrest any person violating said
11 sections in his presence or view, and may execute any
12 warrant or other process issued by an officer or court of
13 competent jurisdiction to enforce the provisions of said
14 sections.

15 § 3055. OFFICERS' POWERS TO SUPPRESS INDIAN LIQUOR
16 TRAFFIC

17 The chief special officer for the suppression of the liquor
18 traffic among Indians and duly authorized officers working
19 under his supervision whose appointments are made or
20 affirmed by the Commissioner of Indian Affairs or the Secre-
21 tary of the Interior may execute all warrants of arrest and
22 other lawful precepts issued under the authority of the United
23 States and in the execution of his duty he may command all
24 necessary assistance.

1 § 3056. SECRET SERVICE POWERS

2 The Secretary of the Treasury is authorized to direct
3 and use the Secret Service Division of the Treasury Depart-
4 ment to detect, arrest, and deliver into custody any person
5 violating any of the provisions of sections 508 and 509 of
6 this title and, insofar as the Federal Deposit Insurance Cor-
7 poration, Federal land banks, joint-stock land banks and
8 national farm loan associations are concerned, of sections
9 218, 221, 433, 493, 657, 709, 1006, 1007, 1011, 1013,
10 1014, 1907 and 1909 of this title.

11 § 3057. BANKRUPTCY INVESTIGATIONS

12 (a) Any referee, receiver, or trustee having reasonable
13 grounds for believing that any violations of the bankruptcy
14 laws or laws relating to insolvent debtors, receiverships or
15 reorganization plans has been committed, or that an in-
16 vestigation should be had in connection therewith, shall re-
17 port to the appropriate United States attorney all the facts
18 and circumstances of the case, the names of the witnesses
19 and the offense or offenses believed to have been committed.
20 Where one of such officers has made such report, the others
21 need not do so.

22 (b) The United States attorney thereupon shall inquire
23 into the facts and report thereon to the referee, and if it
24 appears probable that any such offense has been committed,

1 shall without delay, present the matter to the grand jury,
2 unless upon inquiry and examination he decides that the
3 ends of public justice do not require investigation or prose-
4 cution, in which case he shall report the facts to the Attorney
5 General for his direction.

6 § 3058. INTERNED BELLIGERENT NATIONALS

7 Whoever, belonging to the armed land or naval forces
8 of a belligerent nation or belligerent faction and being in-
9 terned in the United States, in accordance with the law of
10 nations, leaves or attempts to leave said jurisdiction, or leaves
11 or attempts to leave the limits of internment without permis-
12 sion from the proper official of the United States in charge,
13 or willfully overstays a leave of absence granted by such
14 official, shall be subject to arrest by any marshal or deputy
15 marshal of the United States, or by the military or naval
16 authorities thereof, and shall be returned to the place of in-
17 ternment and there confined and safely kept for such period
18 of time as the official of the United States in charge shall
19 direct.

20 § 3059. REWARDS AND APPROPRIATIONS THEREFOR

21 There is authorized to be appropriated, out of any
22 money in the Treasury not otherwise appropriated, the sum
23 of \$25,000 as a reward or rewards for the capture of any-
24 one who is charged with violation of criminal laws of the
25 United States or any State or of the District of Columbia,

1 and an equal amount as a reward or rewards for information
 2 leading to the arrest of any such person, to be apportioned
 3 and expended in the discretion of, and upon such conditions
 4 as may be imposed by, the Attorney General of the United
 5 States. Not more than \$25,000 shall be expended for
 6 information or capture of any one person.

7 If any of the said persons shall be killed in resisting
 8 lawful arrest, the Attorney General may pay any part of the
 9 reward money in his discretion to the person or persons
 10 whom he shall adjudge to be entitled thereto but no reward
 11 money shall be paid to any official or employee of the De-
 12 partment of Justice of the United States.

13 § 3060. PRELIMINARY EXAMINATION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Proceedings before commissioner, appearance, advice as to right to counsel, hearing, Rule 5.

CHAPTER 205.—SEARCHES AND SEIZURES

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- 3102. Authority to issue search warrant—Rule.
- 3103. Grounds for issuing search warrant—Rule.
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- 3114. Return of seized property and suppression of evidence; motion—
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1 § 3101. EFFECT OF RULES OF COURT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Rules generally applicable throughout United States, Rule 54.

Acts of Congress superseded, Rule 41 (g).

2* § 3102. AUTHORITY TO ISSUE SEARCH WARRANT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Federal, State or Territorial Judges, or U. S. Commissioners authorized to issue search warrants, Rule 41 (a).

3 § 3103. GROUNDS FOR ISSUING SEARCH WARRANT—

4 (RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Grounds prescribed for issuance of search warrant, Rule 41 (b).

5 § 3104. ISSUANCE OF SEARCH WARRANT; CONTENTS—

6 (RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Issuance of search warrant on affidavit; contents to identify persons or place; command to search forthwith, Rule 41 (c).

7 § 3105. PERSONS AUTHORIZED TO SERVE SEARCH WAR-

8 RANT

9 A search warrant may in all cases be served by any of
10 the officers mentioned in its direction or by an officer author-
11 ized by law to serve such warrant, but by no other person,
12 except in aid of the officer on his requiring it, he being
13 present and acting in its execution.

14 § 3106. OFFICER AUTHORIZED TO SERVE SEARCH WAR-

15 RANT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Officer to whom search warrant shall be directed, Rule 41 (c).

1 § 3107. SERVICE OF WARRANTS AND SEIZURES BY FED-
 2 ERAL BUREAU OF INVESTIGATION

3 The Director, Assistant Directors, agents, and inspectors
 4 of the Federal Bureau of Investigation of the Department
 5 of Justice are empowered to make seizures under warrant for
 6 violation of the laws of the United States.

7 § 3108. EXECUTION, SERVICE, AND RETURN—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Method and time for execution, service and return of search warrant, Rule 41 (c), (d).

8 § 3109. BREAKING DOORS OR WINDOWS FOR ENTRY OR
 9 EXIT

10 The officer may break open any outer or inner door or
 11 window of a house, or any part of a house, or anything there-
 12 in, to execute a search warrant, if, after notice of his authority
 13 and purpose, he is refused admittance or when necessary
 14 to liberate himself or a person aiding him in the execution of
 15 the warrant.

16 § 3110. PROPERTY DEFINED—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Term "property" as used in Rule 41 includes documents, books, papers and any other tangible objects, Rule 41 (g).

17 § 3111. PROPERTY SEIZABLE ON SEARCH WARRANT—
 18 (RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Specified property seizable on search warrant, Rule 41 (b).

1 § 3112. SEARCH WARRANTS FOR SEIZURE OF ANIMALS,
2 BIRDS OR EGGS

3 Any employee authorized by the Secretary of the In-
4 terior to enforce sections 43 and 44 of this title, and any
5 officer of the customs, shall have authority to execute any
6 warrant to search for and seize any property used or pos-
7 sessed in violation of said sections and property so seized
8 shall be held by him or by the United States marshal pending
9 disposition thereof by the court.

10 § 3113. LIQUOR VIOLATIONS IN INDIAN COUNTRY

11 If any superintendent of Indian affairs, or commanding
12 officer of a military post, or special agent of the Office of
13 Indian affairs for the suppression of liquor traffic among
14 Indians and in the Indian country and any authorized depu-
15 ties under his supervision has probable cause to believe that
16 any person is about to introduce or has introduced any
17 spirituous liquor, beer, wine or other intoxicating liquors
18 named in sections 1154 and 1156 of this title into the Indian
19 country in violation of law, he may cause the places, con-
20 veyances, and packages of such person to be searched. If
21 any such intoxicating liquor is found therein, the same,
22 together with such conveyances and packages of such person,
23 shall be seized and delivered to the proper officer, and shall
24 be proceeded against by libel in the proper court, and for-
25 feited, one-half to the informer and one-half to the use of

1 the United States. If such person be a trader, his license
2 shall be revoked and his bond put in suit.

3 Any person in the service of the United States author-
4 ized by this section to make searches and seizures, or any
5 Indian may take and destroy any ardent spirits
6 or wine found in the Indian country, except such as are kept
7 or used for scientific, sacramental, medicinal, or mechanical
8 purposes or such as may be introduced therein by the War
9 Department.

10 In all cases arising under this section and sections 1154
11 and 1156 of this title, Indians shall be competent witnesses.

12 § 3114. RETURN OF SEIZED PROPERTY AND SUPPRESSION
13 OF EVIDENCE; MOTION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Return of property and suppression of evidence upon motion, Rule 41 (e).

14 § 3115. INVENTORY UPON EXECUTION AND RETURN OF
15 SEARCH WARRANT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Inventory of property seized under search warrant, and copies to persons affected, Rule 41 (d).

16 § 3116. RECORDS OF EXAMINING MAGISTRATE; RETURN
17 TO CLERK OF COURT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Commissioners and clerks of court to keep records as prescribed by Director of the Administrative Office of the United States Courts, Rule 55.

Return or filing of records with clerk, Rule 41 (f).

CHAPTER 207.—BAIL

Sec.

3141. Power of courts and magistrates.

3142. Surrender by bail.

3143. Additional bail.

Sec.

3144. Cases removed from State courts.

3145. Parties and witnesses—Rule.

1 § 3141. POWER OF COURTS AND MAGISTRATES

2 Bail may be taken by any court, judge or magistrate
3 authorized to arrest and commit offenders, but in capital cases
4 bail may be taken only by a court of the United States having
5 original or appellate jurisdiction in criminal cases or by a
6 justice or judge thereof.

7 § 3142. SURRENDER BY BAIL

8 Any party charged with a criminal offense and admitted
9 to bail, may, in vacation, be arrested by his surety, and de-
10 livered to the marshal or his deputy, and brought before any
11 judge or other officer having power to commit for such
12 offense; and at the request of such surety, the judge or other
13 officer shall recommit the party so arrested to the custody
14 of the marshal, and indorse on the recognizance, or certified
15 copy thereof, the discharge and exoneratur of such surety;
16 and the person so committed shall be held in custody until
17 discharged by due course of law.

18 § 3143. ADDITIONAL BAIL

19 When proof is made to any judge of the United States,
20 or other magistrate authorized to commit on criminal charges,
21 that a person previously admitted to bail on any such charge
22 is about to abscond, and that his bail is insufficient, the judge
23 or magistrate shall require such person to give better security,

1 or, for default thereof, cause him to be committed; and an
 2 order for his arrest may be indorsed on the former commit-
 3 ment, or a new warrant therefor may be issued, by such judge
 4 or magistrate, setting forth the cause thereof.

5 § 3144. CASES REMOVED FROM STATE COURTS

6 Whenever the judgment of a State Court in any criminal
 7 proceeding is brought to the Supreme Court of the United
 8 States for review, the defendant shall not be released from
 9 custody until a final judgment upon such review, or, if the
 10 offense be bailable, until a bond, with sufficient sureties, in
 11 a reasonable sum, is given.

12 § 3145. PARTIES AND WITNESSES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

On Preliminary Examination, Rule 5 (b).

Before conviction; amount; sureties; forfeiture; exoneration, Rule 46.

Pending sentence, Rule 32 (a).

Pending appeal or certiorari, Rule 38 (b), (c), 39 (a), 46 (a, 2).

Witness, Rule 46.

CHAPTER 209.—EXTRADITION

Sec.

3181. Scope and limitation of chapter.

3182. Fugitives from State or Territory to State, District or Territory.

3183. Fugitives from State, Territory or Possession into extraterritorial jurisdiction of United States.

3184. Fugitives from foreign country to United States.

3185. Fugitives from country under control of United States into the United States.

3186. Secretary of State to surrender fugitive.

3187. Provisional arrest and detention within extraterritorial jurisdiction.

3188. Time of commitment pending extradition.

3189. Place and character of hearing.

3190. Evidence on hearing.

3191. Witnesses for indigent fugitives.

3192. Protection of accused.

3193. Receiving agent's authority over offenders.

3194. Transportation of fugitive by receiving agent.

3195. Payment of fees and costs.

1 § 3181. SCOPE AND LIMITATION OF CHAPTER

2 The provisions of this chapter relating to the surrender
3 of persons who have committed crimes in foreign countries
4 shall continue in force only during the existence of any treaty
5 of extradition with such foreign government.

6 § 3182. FUGITIVES FROM STATE OR TERRITORY TO STATE,
7 DISTRICT OR TERRITORY

8 Whenever the executive authority of any State or Terri-
9 tory demands any person as a fugitive from justice, of the
10 executive authority of any State, District or Territory to
11 which such person has fled, and produces a copy of an in-
12 dictment found or an affidavit made before a magistrate of
13 any State or Territory, charging the person demanded with
14 having committed treason, felony, or other crime, certified
15 as authentic by the governor or chief magistrate of the State
16 or Territory from whence the person so charged has fled, the
17 executive authority of the State, District or Territory to
18 which such person has fled shall cause him to be arrested
19 and secured, and notify the executive authority making such
20 demand, or the agent of such authority appointed to receive
21 the fugitive, and shall cause the fugitive to be delivered to
22 such agent when he shall appear. If no such agent appears
23 within thirty days from the time of the arrest, the prisoner
24 may be discharged.

1 § 3183. FUGITIVES FROM STATE, TERRITORY, OR POSSES-
2 SION INTO EXTRATERRITORIAL JURISDICTION
3 OF UNITED STATES

4 Whenever the executive authority of any State, Terri-
5 tory, District, or possession of the United States or the
6 Panama Canal Zone, demands any American citizen or
7 national as a fugitive from justice who has fled to a country
8 in which the United States exercises extraterritorial juris-
9 diction, and produces a copy of an indictment found or
10 an affidavit made before a magistrate of the demanding
11 jurisdiction, charging the fugitive so demanded with
12 having committed treason, felony, or other offense,
13 certified as authentic by the Governor or chief magis-
14 trate of such demanding jurisdiction, or other person
15 authorized to act, the officer or representative of the United
16 States vested with judicial authority to whom the demand
17 has been made shall cause such fugitive to be arrested and
18 secured, and notify the executive authorities making such
19 demand, or the agent of such authority appointed to receive
20 the fugitive, and shall cause the fugitive to be delivered to
21 such agent when he shall appear.

22 If no such agent shall appear within three months from
23 the time of the arrest, the prisoner may be discharged.

24 The agent who receives the fugitive into his custody

1 shall be empowered to transport him to the jurisdiction from
2 which he has fled.

3 § 3184. FUGITIVES FROM FOREIGN COUNTRY TO UNITED
4 STATES

5 Whenever there is a treaty or convention for extradi-
6 tion between the United States and any foreign government,
7 any justice or judge of the United States, or any commis-
8 sioner authorized so to do by a court of the United States,
9 or any judge of a court of record of general jurisdiction of any
10 State, may, upon complaint made under oath, charging any
11 person found within his jurisdiction, with having committed
12 within the jurisdiction of any such foreign government any
13 of the crimes provided for by such treaty or convention,
14 issue his warrant for the apprehension of the person so
15 charged, that he may be brought before such justice, judge,
16 or commissioner, to the end that the evidence of criminality
17 may be heard and considered. If, on such hearing, he
18 deems the evidence sufficient to sustain the charge under
19 the provisions of the proper treaty or convention, he shall
20 certify the same, together with a copy of all the testimony
21 taken before him, to the Secretary of State, that a warrant
22 may issue upon the requisition of the proper authorities of
23 such foreign government, for the surrender of such person,
24 according to the stipulations of the treaty or convention;
25 and he shall issue his warrant for the commitment of the

1 person so charged to the proper jail, there to remain until
2 such surrender shall be made.

3 § 3185. FUGITIVES FROM COUNTRY UNDER CONTROL OF
4 UNITED STATES INTO THE UNITED STATES

5 Whenever any foreign country or territory, or any part
6 thereof, is occupied by or under the control of the United
7 States, any person who, having violated the criminal laws
8 in force therein by the commission of any of the offenses
9 enumerated below, departs or flees from justice therein to
10 the United States, shall, when found therein, be liable to
11 arrest and detention by the authorities of the United States,
12 and on the written request or requisition of the military
13 governor or other chief executive officer in control of such
14 foreign country or territory shall be returned and surrendered
15 as hereinafter provided to such authorities for trial under the
16 laws in force in the place where such offense was committed.

17 (1) Murder and assault with intent to commit murder;

18 (2) Counterfeiting or altering money, or uttering or
19 bringing into circulation counterfeit or altered money;

20 (3) Counterfeiting certificates or coupons of public
21 indebtedness, bank notes, or other instruments of public
22 credit, and the utterance or circulation of the same;

23 (4) Forgery or altering and uttering what is forged
24 or altered;

25 (5) Embezzlement or criminal malversation of the

1 public funds, committed by public officers, employees, or
2 depositaries;

3 (6) Larceny or embezzlement of an amount not less
4 than \$100 in value;

5 (7) Robbery;

6 (8) Burglary, defined to be the breaking and entering
7 by nighttime into the house of another person with intent
8 to commit a felony therein;

9 (9) Breaking and entering the house or building of
10 another, whether in the day or nighttime, with the intent
11 to commit a felony therein;

12 (10) Entering, or breaking and entering the offices of
13 the Government and public authorities, or the offices of banks,
14 banking houses, savings banks, trust companies, insurance
15 or other companies, with the intent to commit a felony
16 therein;

17 (11) Perjury or the subornation of perjury;

18 (12) Rape;

19 (13) Arson;

20 (14) Piracy by the law of nations;

21 (15) Murder, assault with intent to kill, and man-
22 slaughter, committed on the high seas, on board a ship owned
23 by or in control of citizens or residents of such foreign

1 country or territory and not under the flag of the United
2 States, or of some other government;

3 (16) Malicious destruction of or attempt to destroy
4 railways, trams, vessels, bridges, dwellings, public edifices,
5 or other buildings, when the act endangers human life.

6 This chapter, so far as applicable, shall govern proceed-
7 ings authorized by this section. Such proceedings shall be
8 had before a judge of the courts of the United States only,
9 who shall hold such person on evidence establishing probable
10 cause that he is guilty of the offense charged.

11 No return or surrender shall be made of any person
12 charged with the commission of any offense of a political
13 nature.

14 If so held, such person shall be returned and surrendered
15 to the authorities in control of such foreign country or terri-
16 tory on the order of the Secretary of State of the United
17 States, and such authorities shall secure to such a person
18 a fair and impartial trial.

19 § 3186. SECRETARY OF STATE TO SURRENDER FUGITIVE

20 The Secretary of State may order the person committed
21 under sections 3184 or 3185 of this title to be delivered
22 to any authorized agent of such foreign government, to be
23 tried for the offense of which charged.

24 Such agent may hold such person in custody, and take

1 him to the territory of such foreign government, pursuant to
2 such treaty.

3 A person so accused who escapes may be retaken in the
4 same manner as any person accused of any offense.

5 § 3187. PROVISIONAL ARREST AND DETENTION WITHIN
6 EXTRATERRITORIAL JURISDICTION

7 The provisional arrest and detention of a fugitive, under
8 sections 3042 and 3183 of this title, in advance of the
9 presentation of formal proofs, may be obtained by telegraph
10 upon the request of the authority competent to request the
11 surrender of such fugitive addressed to the authority com-
12 petent to grant such surrender. Such request shall be accom-
13 panied by an express statement that a warrant for the
14 fugitive's arrest has been issued within the jurisdiction of
15 the authority making such request charging the fugitive with
16 the commission of the crime for which his extradition is
17 sought to be obtained.

18 No person shall be held in custody under telegraphic
19 request by virtue of this section for more than ninety days.

20 § 3188. TIME OF COMMITMENT PENDING EXTRADITION

21 Whenever any person who is committed for rendition
22 to a foreign government to remain until delivered up in
23 pursuance of a requisition, is not so delivered up and con-
24 veyed out of the United States within two calendar months

1 after such commitment, over and above the time actually
2 required to convey the prisoner from the jail to which he
3 was committed, by the readiest way, out of the United
4 States, any judge of the United States, or of any State,
5 upon application made to him by or on behalf of the person
6 so committed, and upon proof made to him that reasonable
7 notice of the intention to make such application has been
8 given to the Secretary of State, may order the person so
9 committed to be discharged out of custody, unless sufficient
10 cause is shown to such judge why such discharge ought not
11 to be ordered.

12 § 3189. PLACE AND CHARACTER OF HEARING

13 Hearings in cases of extradition under treaty stipulation
14 or convention shall be held on land, publicly, and in a room
15 or office easily accessible to the public.

16 § 3190. EVIDENCE ON HEARING

17 Depositions, warrants, or other papers or copies thereof
18 offered in evidence upon the hearing of any extradition case
19 shall be received and admitted as evidence on such hearing
20 for all the purposes of such hearing if they shall be properly
21 and legally authenticated so as to entitle them to be received
22 for similar purposes by the tribunals of the foreign country
23 from which the accused party shall have escaped, and the
24 certificate of the principal diplomatic or consular officer of
25 the United States resident in such foreign country shall be

1 proof that the same, so offered, are authenticated in the
2 manner required.

3 § 3191. WITNESSES FOR INDIGENT FUGITIVES

4 On the hearing of any case under a claim of extradition
5 by a foreign government, upon affidavit being filed by the
6 person charged setting forth that there are witnesses whose
7 evidence is material to his defense, that he cannot safely go
8 to trial without them, what he expects to prove by each of
9 them, and that he is not possessed of sufficient means, and
10 is actually unable to pay the fees of such witnesses, the judge
11 or commissioner hearing the matter may order that such wit-
12 nesses be subpoenaed; and the costs incurred by the process,
13 and the fees of witnesses, shall be paid in the same manner
14 as in the case of witnesses subpoenaed in behalf of the United
15 States.

16 § 3192. PROTECTION OF ACCUSED

17 Whenever any person is delivered by any foreign gov-
18 ernment to an agent of the United States, for the purpose
19 of being brought within the United States and tried for any
20 offense of which he is duly accused, the President shall have
21 power to take all necessary measures for the transportation
22 and safekeeping of such accused person, and for his security
23 against lawless violence, until the final conclusion of his
24 trial for the offenses specified in the warrant of extradition,
25 and until his final discharge from custody or imprisonment for

1 or on account of such offenses, and for a reasonable time
2 thereafter, and may employ such portion of the land or naval
3 forces of the United States, or of the militia thereof, as may
4 be necessary for the safe-keeping and protection of the
5 accused.

6 § 3193. RECEIVING AGENT'S AUTHORITY OVER OFFENDERS

7 A duly appointed agent to receive, in behalf of the
8 United States, the delivery, by a foreign government, of
9 any person accused of crime committed within the United
10 States, and to convey him to the place of his trial, shall
11 have all the powers of a marshal of the United States, in
12 the several districts through which it may be necessary for
13 him to pass with such prisoner, so far as such power is
14 requisite for the prisoner's safe-keeping.

15 § 3194. TRANSPORTATION OF FUGITIVE BY RECEIVING
16 AGENT

17 Any agent appointed as provided in section 3182 of
18 this title who receives the fugitive into his custody is em-
19 powered to transport him to the State or Territory from
20 which he has fled.

21 § 3195. PAYMENT OF FEES AND COSTS

22 All costs or expenses incurred in any extradition pro-
23 ceeding in apprehending, securing, and transmitting a fugi-
24 tive shall be paid by the demanding authority.

25 All witness fees and costs of every nature in cases of

1 international extradition, including the fees of the com-
 2 missioner, shall be certified by the judge or commissioner
 3 before whom the hearing shall take place to the Secretary
 4 of State of the United States, and the same shall be paid
 5 out of appropriations to defray the expenses of the judiciary
 6 or the Department of Justice as the case may be.

7 The Attorney General shall certify to the Secretary
 8 of State the amounts to be paid to the United States on
 9 account of said fees and costs in extradition cases by the
 10 foreign government requesting the extradition, and the
 11 Secretary of State shall cause said amounts to be collected
 12 and transmitted to the Attorney General for deposit in the
 13 Treasury of the United States.

CHAPTER 211.—JURISDICTION AND VENUE

Sec.

3231. District courts.

3232. District of offense—Rule.

3233. Transfer within District—Rule.

3234. Change of venue to another district—Rule.

3235. Venue in capital cases.

3236. Murder or manslaughter.

3237. Offenses begun in one district and completed in another.

3238. Offenses not committed in any district.

3239. Threatening communications.

3240. Creation of new district or division.

3241. Jurisdiction of offenses under certain sections.

3242. Indians committing certain offenses; acts on reservations.

3243. Jurisdiction of State of Kansas over offenses committed by or
 against Indians on Indian reservations.

14 § 3231. DISTRICT COURTS

15 Offenses against the United States shall be cognizable
 16 in the district courts of the United States, but nothing in
 17 this title shall be held to take away or impair the jurisdiction
 18 of the courts of the several states under the laws thereof.

1 § 3232. DISTRICT OF OFFENSE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Proceedings to be in district and division in which offense committed, Rule 18.

2 § 3233. TRANSFER WITHIN DISTRICT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Arraignment, plea, trial, sentence in district of more than one division, Rule 19.

3 § 3234. CHANGE OF VENUE TO ANOTHER DISTRICT—

4 (RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Plea or disposal of case in district other than that in which defendant was arrested, Rule 20.

5 § 3235. VENUE IN CAPITAL CASES

6 The trial of offenses punishable with death shall be had
7 in the county where the offense was committed, where that
8 can be done without great inconvenience.

9 § 3236. MURDER OR MANSLAUGHTER

10 In all cases of murder or manslaughter, the offense shall
11 be deemed to have been committed at the place where the
12 injury was inflicted, or the poison administered or other
13 means employed which caused the death, without regard to
14 the place where the death occurs.

15 § 3237. OFFENSES BEGUN IN ONE DISTRICT AND COM-
16 PLETED IN ANOTHER

17 Except as otherwise expressly provided by enactment
18 of Congress, any offense against the United States begun in
19 one district and completed in another, or committed in more
20 than one district, may be inquired of and prosecuted in any

1 district in which such offense was begun, continued, or
2 completed.

3 Any offense involving the use of the mails, or trans-
4 portation in interstate or foreign commerce, is a continuing
5 offense and, except as otherwise expressly provided by
6 enactment of Congress, may be inquired of and prosecuted
7 in any district from, through, or into which such commerce
8 or mail matter moves.

9 § 3238. OFFENSES NOT COMMITTED IN ANY DISTRICT

10 The trial of all offenses begun or committed upon the
11 high seas, or elsewhere out of the jurisdiction of any par-
12 ticular State or district, shall be in the district where the
13 offender is found, or into which he is first brought.

14 § 3239. THREATENING COMMUNICATIONS

15 Any defendant indicted under sections 875, 876 or
16 877 of this title, with respect to communications originating
17 in the United States, shall, upon motion duly made, be
18 entitled as of right to be tried in the district in which the
19 matter mailed or otherwise transmitted was first set in mo-
20 tion, in the mails or in commerce between the States.

21 § 3240. CREATION OF NEW DISTRICT OR DIVISION

22 Whenever any new district or division is established,
23 or any county or territory is transferred from one district or
24 division to another district or division, prosecutions for

1 offenses committed within such district, division, county, or
2 territory prior to such transfer, shall be commenced and
3 proceeded with the same as if such new district or division
4 had not been created, or such county or territory had not
5 been transferred, unless the court, upon the application of
6 the defendant, shall order the case to be removed to the new
7 district or division for trial. The transfer of such prosecu-
8 tions shall be made in the manner provided in section 119
9 of Title 28.

10 § 3241. JURISDICTION OF OFFENSES UNDER CERTAIN
11 SECTIONS

12 The District Court for the Territory of Alaska, the
13 United States District Court for the Canal Zone and the
14 District Court of the Virgin Islands shall have jurisdiction
15 of offenses under the laws of the United States, not locally
16 inapplicable, committed within the territorial jurisdiction
17 of such courts, and jurisdiction, concurrently with the district
18 courts of the United States, of offenses against the laws of
19 the United States committed upon the high seas.

20 § 3242. INDIANS COMMITTING CERTAIN OFFENSES; ACTS
21 ON RESERVATIONS

22 All Indians committing any of the following offenses,
23 namely, murder, manslaughter, rape, incest, assault with
24 intent to kill, assault with a dangerous weapon, arson,

1 burglary, robbery, and larceny on and within any Indian
 2 reservation, including rights-of-way running through the
 3 reservation, shall be tried in the same courts, and in the same
 4 manner, as are all other persons committing any of the above
 5 crimes within the exclusive jurisdiction of the United States.

6 § 3243. JURISDICTION OF STATE OF KANSAS OVER OF-
 7 FENSES COMMITTED BY OR AGAINST INDIANS
 8 ON INDIAN RESERVATIONS

9 Jurisdiction is conferred on the State of Kansas over
 10 offenses committed by or against Indians on Indian reserva-
 11 tions, including trust or restricted allotments, within the
 12 State of Kansas, to the same extent as its courts have juris-
 13 diction over offenses committed elsewhere within the State
 14 in accordance with the laws of the State.

15 This section shall not deprive the courts of the United
 16 States of jurisdiction over offenses defined by the laws of
 17 the United States committed by or against Indians on Indian
 18 reservations.

CHAPTER 213.—LIMITATIONS

Sec.

- 3281. Capital offenses.
- 3282. Offenses not capital.
- 3283. Customs and slave trade violations.
- 3284. Concealment of bankrupt's assets.
- 3285. Criminal contempt.
- 3286. Seduction on vessel of United States.
- 3287. Wartime suspension of limitations.
- 3288. Reindictment where defect found after period of limitations.
- 3289. Reindictment where defect found before period of limitations.
- 3290. Fugitives from justice.

1 § 3281. CAPITAL OFFENSES

2 An indictment for any offense punishable by death may
3 be found at any time without limitation except for offenses
4 barred by the provisions of law existing on August 4, 1939.

5 § 3282. OFFENSES NOT CAPITAL

6 Except as otherwise expressly provided by law, no
7 person shall be prosecuted, tried, or punished for any offense,
8 not capital, unless the indictment is found or the information
9 is instituted within three years next after such offense shall
10 have been committed.

11 § 3283. CUSTOMS AND SLAVE TRADE VIOLATIONS

12 No person shall be prosecuted, tried or punished for any
13 violation of the customs laws or the slave trade laws of the
14 United States unless the indictment is found or the informa-
15 tion is instituted within five years next after the commission
16 of the offense.

17 § 3284. CONCEALMENT OF BANKRUPT'S ASSETS

18 The concealment of assets of a bankrupt or other debtor
19 shall be deemed to be a continuing offense until the debtor
20 shall have been finally discharged or a discharge denied,
21 and the period of limitations shall not begin to run until
22 such final discharge or denial of discharge.

23 § 3285. CRIMINAL CONTEMPT

24 No proceeding for criminal contempt within section 402
25 of this title shall be instituted against any person, corpora-

1 tion or association unless begun within one year from the
2 date of the act complained of; nor shall any such proceeding
3 be a bar to any criminal prosecution for the same act.

4 § 3286. SEDUCTION ON VESSEL OF UNITED STATES

5 No person shall be prosecuted, tried, or punished for
6 seduction in violation of section 2198 of this title unless
7 indictment is found or the information is filed within one
8 year after the vessel on which the offense was committed
9 arrives at its port of destination.

10 § 3287. WARTIME SUSPENSION OF LIMITATIONS

11 When the United States is at war the running of any
12 statute of limitations applicable to any offense (1) involving
13 fraud or attempted fraud against the United States or any
14 agency thereof in any manner, whether by conspiracy or
15 not, or (2) committed in connection with the acquisition,
16 care, handling, custody, control or disposition of any real or
17 personal property of the United States, or (3) committed
18 in connection with the negotiation, procurement, award, per-
19 formance, payment for, interim financing, cancelation, or
20 other termination or settlement, of any contract, subcontract,
21 or purchase order which is connected with or related to the
22 prosecution of the war, or with any disposition of termina-
23 tion inventory by any war contractor or Government agency,
24 shall be suspended until three years after the termination

1 of hostilities as proclaimed by the President or by a con-
2 current resolution of Congress.

3 Definitions of terms in section 103 of Title 41 shall apply
4 to similar terms used in this section.

5 § 3288. REINDICTMENT WHERE DEFECT FOUND AFTER
6 PERIOD OF LIMITATIONS

7 Whenever an indictment is dismissed for any error,
8 defect or irregularity with respect to the grand jury, or is
9 found otherwise defective or insufficient for any cause, after
10 the period prescribed by the applicable statute of limitations
11 has expired, a new indictment may be returned not later than
12 the end of the next succeeding regular term of such court,
13 following the term at which such indictment was found de-
14 fective or insufficient, during which a grand jury shall be
15 in session which new indictment shall not be barred by any
16 statute of limitations.

17 § 3289. REINDICTMENT WHERE DEFECT FOUND BEFORE
18 PERIOD OF LIMITATIONS

19 Whenever an indictment is dismissed for any error, de-
20 fect or irregularity with respect to the grand jury, or is
21 found otherwise defective or insufficient for any cause, before
22 the period prescribed by the applicable statute of limitations
23 has expired, and such period will expire before the end of
24 the next regular term of the court to which such indictment
25 was returned, a new indictment may be returned not later

1 than the end of the next succeeding regular term of such
 2 court following the term at which such indictment was
 3 found defective or insufficient, during which a grand jury
 4 shall be in session which new indictment shall not be barred
 5 by any statute of limitations.

6 § 3290. FUGITIVES FROM JUSTICE

7 No statute of limitations shall extend to any person
 8 fleeing from justice.

CHAPTER 215.—GRAND JURY

Sec.

3321. Number of grand jurors; summoning additional jurors.

3322. Number; summoning—Rule.

3323. Objections and motions—Rule.

3324. Foreman and deputy; powers and duties; records—Rule.

3325. Persons present at proceedings—Rule.

3326. Secrecy of proceedings and disclosure—Rule.

3327. Indictment; finding and return—Rule.

3328. Discharging jury and excusing juror—Rule.

9 § 3321. NUMBER OF GRAND JURORS; SUMMONING ADDI-
 10 TIONAL JURORS

11 Every grand jury impaneled before any district court
 12 shall consist of not less than sixteen nor more than twenty-
 13 three persons. If less than sixteen of the persons summoned
 14 attend, they shall be placed on the grand jury, and the court
 15 shall order the marshal to summon, either immediately or for
 16 a day fixed, from the body of the district, and not from the
 17 bystanders, a sufficient number of persons to complete the
 18 grand jury. Whenever a challenge to a grand juror is
 19 allowed, and there are not in attendance other jurors sufficient

- 1 to complete the grand jury, the court shall make a like order
- 2 to the marshal to summon a sufficient number of persons
- 3 for that purpose.

4 § 3322. NUMBER; SUMMONING—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Summoning grand jury; number of grand jurors, Rule 6 (a).

5 § 3323. OBJECTIONS AND MOTIONS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Challenging array of grand jurors or individual grand jurors; motions to dismiss, Rule 6 (b).

6 § 3324. FOREMAN AND DEPUTY; POWERS AND DUTIES;

7 RECORDS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Appointment of grand jury foreman and deputy foreman; oaths, affirmations and indictments; records of jurors concurring, Rule 6 (c).

8 § 3325. PERSONS PRESENT AT PROCEEDINGS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Persons who may be present while grand jury is in session; exclusion while jury is deliberating or voting, Rule 6 (d).

9 § 3326. SECRECY OF PROCEEDINGS AND DISCLOSURE—

10 (RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Disclosure of proceedings to government attorneys; disclosure by direction of court or permission of defendant; secrecy of indictment, Rule 6 (e).

11 § 3327. INDICTMENT; FINDING AND RETURN—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Concurrence of twelve or more jurors in indictment; return of indictment to judge in open court, Rule 6 (f).

12 § 3328. DISCHARGING JURY AND EXCUSING JUROR—

13 (RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Discharge of grand jury by court; limitation of service; excusing juror for cause, Rule 6 (g).

CHAPTER 217.—INDICTMENT AND INFORMATION

Sec.

3361. Form and contents—Rule.
 3362. Waiver of indictment and prosecution on information—Rule.
 3363. Joinder of offenses—Rule.
 3364. Joinder of defendants—Rule.
 3365. Amendment of information—Rule.
 3366. Bill of particulars—Rule.
 3367. Dismissal—Rule.

1 § 3361. FORM AND CONTENTS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Contents and form; striking surplusage, Rule 7 (a), (c), (d).

2 § 3362. WAIVER OF INDICTMENT AND PROSECUTION ON
3 INFORMATION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Waiver of indictment for offenses not punishable by death, Rule 7 (b).

4 § 3363. JOINDER OF OFFENSES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Joinder of two or more offenses in same indictment, Rule 8 (a).
Trial together of indictments or informations, Rule 13.

5 § 3364. JOINDER OF DEFENDANTS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Joinder of two or more defendants charged in same indictment, Rule 8 (b).
Relief from prejudicial joinder, Rule 14.

6 § 3365. AMENDMENT OF INFORMATION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Amendment of information, time and conditions, Rule 7 (e).

7 § 3366. BILL OF PARTICULARS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Bill of particulars for cause; motion after arraignment; time; amendment,
Rule 7 (f).

8 § 3367. DISMISSAL—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Dismissal filed by Attorney General or United States Attorney, Rule 48.
Dismissal on objection to array of grand jury or lack of legal qualification of
individual grand juror, Rule 6 (b) (2).

CHAPTER 219.—TRIAL BY COMMISSIONERS

Sec.

3401. Petty offenses; application of probation laws; fees.

3402. Rules of procedure, practice and appeal.

1 § 3401. PETTY OFFENSES; APPLICATION OF PROBATION
2 LAWS; FEES

3 (a) Any United States commissioner specially desig-
4 nated for that purpose by the court by which he was ap-
5 pointed has jurisdiction to try and sentence persons com-
6 mitting petty offenses in any place over which the Congress
7 has exclusive power to legislate or over which the United
8 States has concurrent jurisdiction, and within the judicial
9 district for which such commissioner was appointed.

10 (b) Any person charged with a petty offense may elect,
11 however, to be tried in the district court of the United States.
12 The commissioner shall apprise the defendant of his right
13 to make such election and shall not proceed to try the case
14 unless the defendant after being so apprised, signs a written
15 consent to be tried before the commissioner.

16 (c) The probation laws shall be applicable to persons so
17 tried and the commissioner shall have power to grant pro-
18 bation.

19 (d) For his services in such cases the commissioner
20 shall receive the fees, and none other, provided by law for
21 like or similar services.

22 (e) This section shall not apply to the District of
23 Columbia nor shall it repeal or limit existing jurisdiction,

1 power or authority of commissioners appointed for Alaska
 2 or in the several national parks.

3 § 3402. RULES OF PROCEDURE, PRACTICE AND APPEAL

4 In all cases of conviction by United States commissioners
 5 an appeal shall lie from the judgment of the commissioner to
 6 the district court of the United States for the district in
 7 which the offense was committed.

8 The Supreme Court shall prescribe rules of procedure
 9 and practice for the trial of cases before commissioners and
 10 for taking and hearing of appeals to the said district courts
 11 of the United States.

CHAPTER 221.—ARRAIGNMENT, PLEAS AND TRIAL

Sec.

3431. Term of court; power of court unaffected by expiration—Rule.

3432. Indictment and list of jurors and witnesses for prisoner in capital cases.

3433. Arraignment—Rule.

3434. Presence of defendant—Rule.

3435. Receiver of stolen property triable before or after principal.

3436. Consolidation of indictments or informations—Rule.

3437. Severance—Rule.

3438. Pleas—Rule.

3439. Demurrers and special pleas in bar or abatement abolished; relief on motion—Rule.

3440. Defenses and objections determined on motion—Rule.

3441. Jury; number of jurors; waiver—Rule.

3442. Jurors, examination, peremptory challenges; alternates—Rule.

3443. Instructions to jury—Rule.

3444. Disability of judge—Rule.

3445. Motion for judgment of acquittal—Rule.

3446. New trial—Rule.

12 § 3431. TERM OF COURT; POWER OF COURT UNAFFECTED

13 BY EXPIRATION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Expiration of term without significance in criminal cases, Rule 45 (c).

1 § 3432. INDICTMENT AND LIST OF JURORS AND WIT-

2 NESSES FOR PRISONER IN CAPITAL CASES

3 A person charged with treason or other capital offense
4 shall at least three entire days before commencement of
5 trial be furnished with a copy of the indictment and a list
6 of the veniremen, and of the witnesses to be produced on
7 the trial for proving the indictment, stating the place of
8 abode of each venireman and witness.

9 § 3433. ARRAIGNMENT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Reading and furnishing copy of indictment to accused, Rule 10.

10 § 3434. PRESENCE OF DEFENDANT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Right of defendant to be present generally; corporation; waiver, Rule 43.

11 § 3435. RECEIVER OF STOLEN PROPERTY TRIABLE BEFORE

12 OR AFTER PRINCIPAL

13 A person charged with receiving or concealing stolen
14 property may be tried either before or after the trial of
15 the principal offender.

16 § 3436. CONSOLIDATION OF INDICTMENTS OR INFORMA-

17 TIONS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Two or more indictments or informations triable together, Rule 13.

18 § 3437. SEVERANCE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Relief from prejudicial joinder of defendants or offenses, Rule 14.

19 § 3438. PLEAS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Plea of guilty, not guilty, or nolo contendere; acceptance by court; refusal to plead; corporation failing to appear, Rule 11.

Withdrawal of plea of guilty, Rule 32.

- 1 § 3439. DEMURRERS AND SPECIAL PLEAS IN BAR OR
 2 ABATEMENT ABOLISHED; RELIEF ON MOTION—
 3 (RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Motion to dismiss or for appropriate relief substituted for demurrer or dilatory plea or motion to quash, Rule 12.

- 4 § 3440. DEFENSES AND OBJECTIONS DETERMINED ON
 5 MOTION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Defenses or objections which may or must be raised before trial; time; hearing; effect of determination; limitations by law unaffected, Rule 12 (b).

- 6 § 3441. JURY; NUMBER OF JURORS; WAIVER—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Jury trial, waiver, twelve jurors or less by written stipulation, trial by court on general or special findings, Rule 23.

- 7 § 3442. JURORS, EXAMINATION, PEREMPTORY CHAL-
 8 LENGES; ALTERNATES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Examination and peremptory challenges of trial jurors; alternate jurors, Rule 24.

- 9 § 3443. INSTRUCTIONS TO JURY—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Court's instructions to jury, written requests and copies, objections, Rule 30.

- 10 § 3444. DISABILITY OF JUDGE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Disability of judge after verdict or finding of guilt, Rule 25.

- 11 § 3445. MOTION FOR JUDGMENT OF ACQUITTAL—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Motions for directed verdict abolished.

Motions for judgment of acquittal adopted; court may reserve decision; renewal, Rule 29.

1 § 3446. NEW TRIAL—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Granting of new trial, grounds, and motion, Rule 33.

CHAPTER 223.—WITNESSES AND EVIDENCE

Sec.

- 3481. Competency of accused.
- 3482. Evidence and witnesses—Rule.
- 3483. Indigent defendants, process to produce evidence—Rule.
- 3484. Subpoenas—Rule.
- 3485. Expert witnesses—Rule.
- 3486. Testimony before Congress; immunity.
- 3487. Refusal to pay as evidence of embezzlement.
- 3488. Intoxicating liquor in Indian country as evidence of unlawful introduction.
- 3489. Discovery and inspection—Rule.
- 3490. Official record or entry—Rule.
- 3491. Foreign documents.
- 3492. Commission to consular officers to authenticate foreign documents.
- 3493. Deposition to authenticate foreign documents.
- 3494. Certification of genuineness of foreign document.
- 3495. Fees and expenses of consuls, counsel, interpreters and witnesses.
- 3496. Regulations by President as to commissions, fees of witnesses, counsel and interpreters.
- 3497. Account as evidence of embezzlement.
- 3498. Depositions—Rule.
- 3499. Contempt of court by witness—Rule.

2 § 3481. COMPETENCY OF ACCUSED

3 In trial of all persons charged with the commission of
 4 offenses against the United States and in all proceedings
 5 in courts martial and courts of inquiry in any State, Dis-
 6 trict, Possession or Territory, the person charged shall, at
 7 his own request, be a competent witness. His failure to
 8 make such request shall not create any presumption against
 9 him.

10 § 3482. EVIDENCE AND WITNESSES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Competency and privileges of witnesses and admissibility of evidence governed by principles of common law, Rule 26.

1 § 3483. INDIGENT DEFENDANTS, PROCESS TO PRODUCE

2 EVIDENCE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Subpoena for indigent defendants, motion, affidavit, costs, Rule 17 (b).

3 § 3484. SUBPOENAS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Form, contents and issuance of subpoena, Rule 17 (a).

Service in United States, Rule 17 (d), (e, 1).

Service in foreign country, Rule 17 (d), (e, 2).

Indigent defendants, Rule 17 (b).

On taking depositions, Rule 17 (f).

Papers and documents, Rule 17 (c).

Disobedience of subpoena as contempt of court, Rule 17 (g).

4 § 3485. EXPERT WITNESSES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Selection and appointment of expert witnesses by court or parties; compensation. Rule 28.

5 § 3486. TESTIMONY BEFORE CONGRESS; IMMUNITY

6 No testimony given by a witness before either House,
7 or before any committee of either House, or before any joint
8 committee established by a joint or concurrent resolution of
9 the two Houses of Congress, shall be used as evidence in any
10 criminal proceeding against him in any court, except in a
11 prosecution for perjury committed in giving such testimony.
12 But an official paper or record produced by him is not within
13 the said privilege.

14 § 3487. REFUSAL TO PAY AS EVIDENCE OF EMBEZZLE-
15 MENT

16 The refusal of any person, whether in or out of office,
17 charged with the safe-keeping, transfer, or disbursement of

1 the public money to pay any draft, order, or warrant, drawn
 2 upon him by the General Accounting Office, for any public
 3 money in his hands belonging to the United States, no matter
 4 in what capacity the same may have been received, or may
 5 be held, or to transfer or disburse any such money, promptly,
 6 upon the legal requirement of any authorized officer, shall be
 7 deemed, upon the trial of any indictment against such per-
 8 son for embezzlement, *prima facie* evidence of such em-
 9 bezzlement.

10 § 3488. INTOXICATING LIQUOR IN INDIAN COUNTRY AS
 11 EVIDENCE OF UNLAWFUL INTRODUCTION

12 The possession by a person of intoxicating liquors in
 13 Indian country where the introduction is prohibited by treaty
 14 or Federal statute shall be *prima facie* evidence of unlawful
 15 introduction.

16 § 3489. DISCOVERY AND INSPECTION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Inspection of documents and papers taken from defendant, Rule 16.

17 § 3490. OFFICIAL RECORD OR ENTRY—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Proof of official record or entry as in civil actions, Rule 27.

18 § 3491. FOREIGN DOCUMENTS

19 Any book, paper, statement, record, account, writing.
 20 or other document, or any portion thereof, of whatever char-
 21 acter and in whatever form, as well as any copy thereof
 22 equally with the original, which is not in the United States
 23 shall, when duly certified as provided in section 3494 of

1 this title, and section 695e of Title 28, be admissible in
2 evidence in any criminal action or proceeding in any court
3 of the United States if the court shall find, from all the
4 testimony taken with respect to such foreign document pur-
5 suant to a commission executed under section 3492 of this
6 title, that such document (or the original thereof in case
7 such document is a copy) satisfies the requirements of section
8 695 of Title 28, unless in the event that the genuineness
9 of such document is denied, any party to such criminal
10 action or proceeding making such denial shall establish to
11 the satisfaction of the court that such document is not genuine.
12 Nothing contained herein shall be deemed to require authen-
13 tication under the provisions of section 3494 of this title and
14 section 695e of Title 28 of any such foreign documents which
15 may otherwise be properly authenticated by law.

16 § 3492. COMMISSION TO CONSULAR OFFICERS TO AU-
17 THENTICATE FOREIGN DOCUMENTS

18 (a) The testimony of any witness in a foreign country
19 may be taken either on oral or written interrogatories, or on
20 interrogatories partly oral and partly written, pursuant to a
21 commission issued, as hereinafter provided, for the purpose
22 of determining whether any foreign documents sought to be
23 used in any criminal action or proceeding in any court of
24 the United States are genuine, and whether the requirements

1 of section 695 of Title 28 are satisfied with respect to any
2 such document (or the original thereof in case such docu-
3 ment is a copy). Application for the issuance of a commis-
4 sion for such purpose may be made to the court in which
5 such action or proceeding is pending by the United States
6 or any other party thereto, after five days' notice in writing
7 by the applicant party, or his attorney, to the opposite party,
8 or his attorney of record, which notice shall state the names
9 and addresses of witnesses whose testimony is to be taken
10 and the time when it is desired to take such testimony. In
11 granting such application the court shall issue a commission
12 for the purpose of taking the testimony sought by the ap-
13 plicant addressed to any consular officer of the United States
14 conveniently located for the purpose. In cases of testimony
15 taken on oral or partly oral interrogatories, the court shall
16 make provisions in the commission for the selection as here-
17 inafter provided of foreign counsel to represent each party
18 (except the United States) to the criminal action or pro-
19 ceeding in which the foreign documents in question are to be
20 used, unless such party has, prior to the issuance of the
21 commission, notified the court that he does not desire the
22 selection of foreign counsel to represent him at the time of
23 taking of such testimony. In cases of testimony taken on
24 written interrogatories, such provision shall be made only
25 upon the request of any such party prior to the issuance of

1 such commission. Selection of foreign counsel shall be made
2 by the party whom such foreign counsel is to represent within
3 ten days prior to the taking of testimony or by the court
4 from which the commission issued, upon the request of such
5 party made within such time.

6 (b) Any consular officer to whom a commission is
7 addressed to take testimony, who is interested in the out-
8 come of the criminal action or proceeding in which the
9 foreign documents in question are to be used or has partici-
10 pated in the prosecution of such action or proceeding, whether
11 by investigations, preparation of evidence, or otherwise, may
12 be disqualified on his own motion or on that of the United
13 States or any other party to such criminal action or proceeding
14 made to the court from which the commission issued at any
15 time prior to the execution thereof. If after notice and hear-
16 ing, the court grants the motion, it shall instruct the consular
17 officer thus disqualified to send the commission to any other
18 consular officer of the United States named by the court, and
19 such other officer shall execute the commission according to
20 its terms and shall for all purposes be deemed the officer to
21 whom the commission is addressed.

22 (c) The provisions of this section and sections 3493-
23 3496 of this title applicable to consular officers shall be appli-
24 cable to diplomatic officers pursuant to such regulations as
25 may be prescribed by the President.

1 § 3493. DEPOSITION TO AUTHENTICATE FOREIGN DOCU-
2 MENTS

3 The consular officer to whom any commission authorized
4 under section 3492 of this title is addressed shall take testi-
5 mony in accordance with its terms. Every person whose
6 testimony is taken shall be cautioned and sworn to testify
7 the whole truth and carefully examined. His testimony
8 shall be reduced to writing or typewriting by the consular
9 officer taking the testimony, or by some person under his
10 personal supervision, or by the witness himself, in the pres-
11 ence of the consular officer and by no other person, and
12 shall, after it has been reduced to writing or typewriting, be
13 subscribed by the witness. Every foreign document, with
14 respect to which testimony is taken, shall be annexed to
15 such testimony and subscribed by each witness who appears
16 for the purpose of establishing the genuineness of such docu-
17 ment. When counsel for all the parties attend the examina-
18 tion of any witness whose testimony is to be taken on written
19 interrogatories, they may consent that oral interrogatories
20 in addition to those accompanying the commission may be
21 put to the witness. The consular officer taking any testimony
22 shall require an interpreter to be present when his services
23 are needed or are requested by any party or his attorney.

1 § 3494. CERTIFICATION OF GENUINENESS OF FOREIGN
2 DOCUMENT

3 If the consular officer executing any commission author-
4 ized under section 3492 of this title shall be satisfied, upon
5 all the testimony taken, that a foreign document is genuine,
6 he shall certify such document to be genuine under the seal
7 of his office. Such certification shall include a statement that
8 he is not subject to disqualification under the provisions of
9 section 3492 of this title. He shall thereupon transmit, by
10 mail, such foreign documents, together with the record of
11 all testimony taken and the commission which has been
12 executed, to the clerk of the court from which such commis-
13 sion issued, in the manner in which his official dispatches are
14 transmitted to the Government. The clerk receiving any
15 executed commission shall open it and shall make any for-
16 eign documents and record of testimony, transmitted with
17 such commission, available for inspection by the parties to
18 the criminal action or proceeding in which such documents
19 are to be used, and said parties shall be furnished copies of
20 such documents free of charge.

21 § 3495. FEES AND EXPENSES OF CONSULS, COUNSEL,
22 INTERPRETERS AND WITNESSES

23 (a) The consular fees prescribed under section 127 of
24 Title 22, for official services in connection with the taking

1 of testimony under sections 3492-3494 of this title, and the
2 fees of any witness whose testimony is taken shall be paid
3 by the party who applied for the commission pursuant to
4 which such testimony was taken. Every witness under
5 section 3493 of this title shall be entitled to receive, for
6 each day's attendance, fees prescribed under section 3496
7 of this title. Every foreign counsel selected pursuant to a
8 commission issued on application of the United States, and
9 every interpreter whose services are required by a consular
10 officer under section 3493 of this title, shall be paid by the
11 United States, such compensation, together with such per-
12 sonal and incidental expense upon verified statements filed
13 with the consular officer, as he may allow. Compensation
14 and expenses of foreign counsel selected pursuant to a com-
15 mission issued on application of any party other than the
16 United States shall be paid by the party whom such counsel
17 represents and shall be allowed in the same manner.

18 (b) Whenever any party makes affidavit, prior to the
19 issuance of a commission for the purpose of taking testimony,
20 that he is not possessed of sufficient means and is actually
21 unable to pay any fees and costs incurred under this section,
22 such fees and costs shall, upon order of the court, be paid in
23 the same manner as fees and costs are paid which are charge-
24 able to the United States.

25 (c) Any appropriation available for the payment of

1 fees and costs in the case of witnesses subpoenaed in behalf
 2 of the United States in criminal cases shall be available for
 3 any fees or costs which the United States is required to pay
 4 under this section.

5 § 3496. REGULATIONS BY PRESIDENT AS TO COMMIS-
 6 SIONS, FEES OF WITNESSES, COUNSEL AND
 7 INTERPRETERS

8 The President is authorized to prescribe regulations
 9 governing the manner of executing and returning commis-
 10 sions by consular officers under the provisions of sections
 11 3492-3494 of this title and schedules of fees allowable to
 12 witnesses, foreign counsel, and interpreters under section
 13 3495 of this title.

14 § 3497. ACCOUNT AS EVIDENCE OF EMBEZZLEMENT

15 Upon the trial of any indictment against any person
 16 for embezzling public money it shall be sufficient evidence,
 17 prima facie, for the purpose of showing a balance against
 18 such person, to produce a transcript from the books and
 19 proceedings of the General Accounting Office.

20 § 3498. DEPOSITIONS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Time, manner and conditions of taking depositions; costs; notice; use; objections; written interrogatories, Rule 15.

Subpoenas on taking depositions, Rule 17 (f).

21 § 3499. CONTEMPT OF COURT BY WITNESS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Disobedience of subpoena without excuse as contempt, Rule 17 (g).

CHAPTER 225.—VERDICT

Sec.

3531. Return; several defendants; conviction of less offense; poll of jury—Rule.

3532. Setting aside verdict of guilty; judgment notwithstanding verdict—Rule.

1 § 3531. RETURN; SEVERAL DEFENDANTS; CONVICTION OF
2 LESS OFFENSE; POLL OF JURY—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Verdict to be unanimous; return; several defendants; disagreement; conviction of less offense; poll of jury, Rule 31.

3 § 3532. SETTING ASIDE VERDICT OF GUILTY; JUDGMENT
4 NOTWITHSTANDING VERDICT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Setting aside verdict of guilty on motion for judgment of acquittal, entering of such judgment, or ordering new trial; absence of verdict, Rule 29 (b).

CHAPTER 227.—SENTENCE, JUDGMENT, AND EXECUTION

Sec.

3561. Judgment form and entry—Rule.

3562. Sentence—Rule.

3563. Corruption of blood or forfeiture of estate.

3564. Pillory and whipping.

3565. Collection and payment of fines and penalties.

3566. Execution of death sentence.

3567. Death sentence may prescribe dissection.

3568. Effective date of sentence.

3569. Discharge of indigent prisoner.

3570. Presidential remission as affecting unremitted part.

3571. Clerical mistakes—Rule.

3572. Correction or reduction of sentence—Rule.

3573. Arrest or setting aside of judgment—Rule.

3574. Stay of execution; supersedeas—Rule.

5 § 3561. JUDGMENT FORM AND ENTRY—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Judgment to be signed by judge and entered by clerk, Rule 32 (b).

6 § 3562. SENTENCE—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Imposition of sentence; commitment; bail; presentence investigation and report, Rule 32 (a, c).

1 § 3563. CORRUPTION OF BLOOD OR FORFEITURE OF ESTATE

2 No conviction or judgment shall work corruption of
3 blood or any forfeiture of estate.

4 § 3564. PILLORY AND WHIPPING

5 The punishment of whipping and of standing in the
6 pillory shall not be inflicted.

7 § 3565. COLLECTION AND PAYMENT OF FINES AND
8 PENALTIES

9 In all criminal cases in which judgment or sentence is
10 rendered, imposing the payment of a fine or penalty, whether
11 alone or with any other kind of punishment, such judgment,
12 so far as the fine or penalty is concerned, may be enforced
13 by execution against the property of the defendant in like
14 manner as judgments in civil cases. Where the judgment
15 directs imprisonment until the fine or penalty imposed is
16 paid, the issue of execution on the judgment shall not dis-
17 charge the defendant from imprisonment until the amount
18 of the judgment is paid.

19 § 3566. EXECUTION OF DEATH SENTENCE

20 The manner of inflicting the punishment of death shall
21 be that prescribed by the laws of the place within which the
22 sentence is imposed. The United States marshal charged
23 with the execution of the sentence may use available local
24 facilities and the services of an appropriate local official
25 or employ some other person for such purpose, and pay

1 the cost thereof in an amount approved by the Attorney
2 General. If the laws of the place within which sentence
3 is imposed make no provision for the infliction of the pen-
4 alty of death, then the court shall designate some other place
5 in which such sentence shall be executed in the manner
6 prescribed by the laws thereof.

7 § 3567. DEATH SENTENCE MAY PRESCRIBE DISSECTION

8 The court before which any person is convicted of murder
9 in the first degree, or rape, may, in its discretion, add to the
10 judgment of death, that the body of the offender be delivered
11 to a surgeon for dissection; and the marshal who executes
12 such judgment shall deliver the body, after execution, to
13 such surgeon as the court may direct; and such surgeon, or
14 some person appointed by him, shall receive and take away
15 the body at the time of execution.

16 § 3568. EFFECTIVE DATE OF SENTENCE

17 The sentence of imprisonment of any person convicted
18 of an offense in a court of the United States shall commence
19 to run from the date on which such person is received at
20 the penitentiary, reformatory, or jail for service of said
21 sentence.

22 If any such person shall be committed to a jail or other
23 place of detention to await transportation to the place at
24 which his sentence is to be served, his sentence shall com-

1 mence to run from the date on which he is received at such
2 jail or other place of detention.

3 No sentence shall prescribe any other method of com-
4 puting the term.

5 § 3569. DISCHARGE OF INDIGENT PRISONER

6 (a) When a poor convict, sentenced for violation of any
7 law of the United States by any court established by en-
8 actment of Congress, to be imprisoned and pay a fine,
9 or fine and costs, or to pay a fine, or fine and costs, has
10 been confined in prison thirty days, solely for the nonpay-
11 ment of such fine, or fine and costs, such convict may make
12 application in writing to the nearest United States commis-
13 sioner in the district where he is imprisoned setting forth his
14 inability to pay such fine, or fine and costs, and after notice to
15 the district attorney of the United States, who may appear,
16 offer evidence, and be heard, the commissioner shall proceed
17 to hear and determine the matter.

18 If on examination it shall appear to him that such
19 convict is unable to pay such fine, or fine and costs, and
20 that he has not any property exceeding \$20 in value,
21 except such as is by law exempt from being taken on
22 execution for debt, the commissioner shall administer to
23 him the following oath: "I do solemnly swear that I have
24 not any property, real or personal, exceeding \$20, except
25 such as is by law exempt from being taken on civil process

1 for debt; and that I have no property in any way conveyed
2 or concealed, or in any way disposed of, for my future use
3 or benefit. So help me God." Upon taking such oath
4 such convict shall be discharged; and the commissioner shall
5 file with the institution in which the convict is confined,
6 a certificate setting forth the facts. In case the convict
7 is found by the commissioner to possess property valued
8 at an amount in excess of said exemption, nevertheless,
9 if the Attorney General finds that the retention by such
10 convict of all of such property is reasonably necessary
11 for his support or that of his family, such convict shall
12 be released without further imprisonment solely for the
13 nonpayment of such fine, or fine and costs; or if he finds
14 that the retention by such convict of any part of such
15 property is reasonably necessary for his support or that
16 of his family, such convict shall be released without
17 further imprisonment solely for nonpayment of such fine
18 or fine and costs upon payment on account of his fine and
19 costs, of that portion of his property in excess of the amount
20 found to be reasonably necessary for his support or that of
21 his family.

22 (b) Any such indigent prisoner in a Federal institution
23 may, in the first instance, make his application to the
24 warden of such institution, who shall have all the powers
25 of a United States Commissioner in such matters, and upon

1 proper showing in support of the application shall admin-
 2 ister the oath required by subsection (a) of this section,
 3 discharge the prisoner, and file his certificate to that effect
 4 in the records of the institution.

5 Any such indigent prisoner, to whom the warden
 6 shall fail or refuse to administer the oath may apply to
 7 the nearest Commissioner for the relief authorized by this
 8 section and the Commissioner shall proceed de novo to
 9 hear and determine the matter.

10 § 3570. PRESIDENTIAL REMISSION AS AFFECTING UN-
 11 REMITTED PART

12 Whenever, by the judgment of any court or judicial
 13 officer of the United States, in any criminal proceeding, any
 14 person is sentenced to two kinds of punishment, the one
 15 pecuniary and the other corporal, the President's remission
 16 in whole or in part of either kind shall not impair the legal
 17 validity of the other kind, or of any portion of either kind,
 18 not remitted.

19 § 3571. CLERICAL MISTAKES—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Court empowered to correct clerical mistakes in judgments, orders, or record,
 Rule 36.

20 § 3572. CORRECTION OR REDUCTION OF SENTENCE—
 21 (RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Court empowered to correct or reduce sentence; time; Rule 35.

1 § 3573. ARREST OR SETTING ASIDE OF JUDGMENT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Arrest of judgment, grounds and motion, time, Rule 34.

Setting aside judgment and permitting withdrawal of plea of guilty, Rule 32 (d).

2 § 3574. STAY OF EXECUTION; SUPERSEDEAS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Death or imprisonment sentence, fines stayed on appeal; conditions and power of court, Rule 38 (a).

CHAPTER 229.—FINES, PENALTIES AND FORFEITURES

Sec.

3611. Firearms possessed by convicted felons.

3612. Bribe moneys.

3613. Fines for setting grass and timber fires.

3614. Fine for seduction.

3615. Liquors and related property; definitions.

3616. Use of confiscated motor vehicles.

3617. Remission or mitigation of forfeitures under liquor laws; possession pending trial.

3618. Conveyances carrying liquor.

3 § 3611. FIREARMS POSSESSED BY CONVICTED FELONS

4 A judgment of conviction for transporting a stolen
 5 motor vehicle in interstate or foreign commerce or for com-
 6 mitting or attempting to commit a felony in violation of
 7 any law of the United States involving the use of threats,
 8 force, or violence or perpetrated in whole or in part by the
 9 use of firearms, may, in addition to the penalty provided by
 10 law for such offense, order the confiscation and disposal of
 11 firearms and ammunition found in the possession or under the
 12 immediate control of the defendant at the time of his arrest.

13 The court may direct the delivery of such firearms or
 14 ammunition to the law-enforcement agency which appre-

1 hended such person, for its use or for any other disposition
2 in its discretion.

3 § 3612. BRIBE MONEYS

4 Moneys received or tendered in evidence in any United
5 States Court, or before any officer thereof, which have been
6 paid to or received by any official as a bribe, shall, after the
7 final disposition of the case, proceeding or investigation, be
8 deposited in the registry of the court to be disposed of in
9 accordance with the order of the court, to be subject, how-
10 ever, to the provisions of section 852 of Title 28.

11 § 3613. FINES FOR SETTING GRASS AND TIMBER FIRES

12 In all cases arising under sections 1855 and 1856 of this
13 title the fines collected shall be paid into the public-school
14 fund of the county in which the lands where the offense
15 was committed are situated.

16 § 3614. FINE FOR SEDUCTION

17 When a person is convicted of a violation of section
18 2198 of this title and fined, the court may direct that the
19 amount of the fine, when paid, be paid for the use of the
20 female seduced, or her child, if she have any.

21 § 3615. LIQUORS AND RELATED PROPERTY; DEFINITIONS.

22 All liquor involved in any violation of sections 1261-
23 1265 of this title, the containers of such liquor, and every
24 vehicle or vessel used in the transportation thereof, shall

1 be seized and forfeited and such property or its proceeds
2 disposed of in accordance with the laws relating to seizures,
3 forfeitures, and dispositions of property or proceeds, for
4 violation of the internal-revenue laws.

5 As used in this section, "vessel" includes every descrip-
6 tion of watercraft used, or capable of being used, as a
7 means of transportation in water or in water and air;
8 "vehicle" includes animals and every description of car-
9 riage or other contrivance used, or capable of being used,
10 as a means of transportation on land or through the air.

11 § 3616. USE OF CONFISCATED MOTOR VEHICLES

12 The Secretary of the Treasury may authorize the use
13 by narcotic agents of motor vehicles confiscated under the
14 provisions of section 3116 of Title 26 and sections 781-788
15 of Title 49 and pay the cost of acquisition, maintenance,
16 repair, and operation thereof.

17 § 3617. REMISSION OR MITIGATION OF FORFEITURES

18 UNDER LIQUOR LAWS; POSSESSION PENDING

19 TRIAL—(a) JURISDICTION OF COURT

20 Whenever, in any proceeding in court for the forfeiture,
21 under the internal-revenue laws, of any vehicle or aircraft
22 seized for a violation of the internal-revenue laws relating to
23 liquors, such forfeiture is decreed, the court shall have exclu-
24 sive jurisdiction to remit or mitigate the forfeiture.

1 (b) CONDITIONS PRECEDENT TO REMISSION OR MITIGA-
2 TION

3 In any such proceeding the court shall not allow the
4 claim of any claimant for remission or mitigation unless and
5 until he proves (1) that he has an interest in such vehicle
6 or aircraft, as owner or otherwise, which he acquired in good
7 faith, (2) that he had at no time any knowledge or reason
8 to believe that it was being or would be used in the violation
9 of laws of the United States or of any State relating to
10 liquor, and (3) if it appears that the interest asserted by the
11 claimant arises out of or is in any way subject to any contract
12 or agreement under which any person having a record or
13 reputation for violating laws of the United States or of any
14 State relating to liquor has a right with respect to such
15 vehicle or aircraft, that, before such claimant acquired his
16 interest, or such other person acquired his right under such
17 contract or agreement, whichever occurred later, the claim-
18 ant, his officer or agent, was informed in answer to his
19 inquiry, at the headquarters of the sheriff, chief of police,
20 principal Federal internal-revenue officer engaged in the
21 enforcement of the liquor laws, or other principal local or
22 Federal law-enforcement officer of the locality in which such
23 other person acquired his right under such contract or agree-
24 ment, of the locality in which such other person then resided,

1 and of each locality in which the claimant has made any
2 other inquiry as to the character or financial standing of such
3 other person, that such other person had no such record or
4 reputation.

5 (c) CLAIMANTS FIRST ENTITLED TO DELIVERY

6 Upon the request of any claimant whose claim for remis-
7 sion or mitigation is allowed and whose interest is first in the
8 order of priority among such claims allowed in such proceed-
9 ing and is of an amount in excess of, or equal to, the ap-
10 praised value of such vehicle or aircraft, the court shall order
11 its return to him; and, upon the joint request of any two or
12 more claimants whose claims are allowed and whose interests
13 are not subject to any prior or intervening interests claimed
14 and allowed in such proceedings, and are of a total amount
15 in excess of, or equal to, the appraised value of such vehicle
16 or aircraft, the court shall order its return to such of the joint
17 requesting claimants as is designated in such request. Such
18 return shall be made only upon payment of all expenses
19 incident to the seizure and forfeiture incurred by the United
20 States. In all other cases the court shall order disposition
21 of such vehicle or aircraft as provided in sections 304f-304m
22 of Title 40, and if such disposition be by public sale, pay-
23 ment from the proceeds thereof, after satisfaction of all such
24 expenses, of any such claim in its order of priority among
25 the claims allowed in such proceedings.

1 (d) DELIVERY ON BOND PENDING TRIAL

2 In any proceeding in court for the forfeiture under the
3 internal-revenue laws of any vehicle or aircraft seized for a
4 violation of the internal-revenue laws relating to liquor, the
5 court shall order delivery thereof to any claimant who shall
6 establish his right to the immediate possession thereof, and
7 shall execute, with one or more sureties approved by the
8 court, and deliver to the court, a bond to the United States
9 for the payment of a sum equal to the appraised value of
10 such vehicle or aircraft. Such bond shall be conditioned to
11 return such vehicle or aircraft at the time of the trial and to
12 pay the difference between the appraised value of such
13 vehicle or aircraft as of the time it shall have been so released
14 on bond and the appraised value thereof as of the time of
15 trial; and conditioned further that, if the vehicle or aircraft
16 be not returned at the time of trial, the bond shall stand in
17 lieu of, and be forfeited in the same manner as, such vehicle
18 or aircraft. Notwithstanding this subsection or any other
19 provisions of law relating to the delivery of possession on
20 bond of vehicles or aircraft sought to be forfeited under the
21 internal-revenue laws, the court may, in its discretion and
22 upon good cause shown by the United States, refuse to order
23 such delivery of possession.

24 § 3618. CONVEYANCES CARRYING LIQUOR

25 Any conveyance, whether used by the owner or an-

1 other in introducing or attempting to introduce intoxicants
 2 into the Indian country, or into other places where the intro-
 3 duction is prohibited by treaty or enactment of Congress,
 4 shall be subject to seizure, libel, and forfeiture.

CHAPTER 231.—PROBATION

Sec.

3651. Suspension of sentence and probation.

3652. Probation—Rule.

3653. Report of probation officer and arrest of probationer.

3654. Appointment and removal of probation officers.

3655. Duties of probation officers.

3656. Duties of Director of Administrative Office of the United States
Courts.

5 § 3651. SUSPENSION OF SENTENCE AND PROBATION

6 Upon entering a judgment of conviction of any offense
 7 not punishable by death or life imprisonment, any court
 8 having jurisdiction to try offenses against the United States,
 9 except in the District of Columbia, when satisfied that the
 10 ends of justice and the best interest of the public as well as
 11 the defendant will be served thereby, may suspend the
 12 imposition or execution of sentence and place the defendant
 13 on probation for such period and upon such terms and con-
 14 ditions as the court deems best.

15 Probation may be granted whether the offense is punish-
 16 able by fine or imprisonment or both. If an offense is pun-
 17 ishable by both fine and imprisonment, the court may
 18 impose a fine and place the defendant on probation as to

1 imprisonment. Probation may be limited to one or more
2 counts or indictments, but, in the absence of express limita-
3 tion, shall extend to the entire sentence and judgment.

4 The court may revoke or modify any condition of pro-
5 bation, or may change the period of probation.

6 The period of probation, together with any extension
7 thereof, shall not exceed five years.

8 While on probation and among the conditions thereof,
9 the defendant—

10 May be required to pay a fine in one or several sums;
11 and

12 May be required to make restitution or reparation to
13 aggrieved parties for actual damages or loss caused by the
14 offense for which conviction was had; and

15 May be required to provide for the support of any
16 persons, for whose support he is legally responsible.

17 The defendant's liability for any fine or other punish-
18 ment imposed as to which probation is granted, shall be
19 fully discharged by the fulfillment of the terms and con-
20 ditions of probation.

21 § 3652. PROBATION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Probation as provided by law, Rule 32 (e).
Presentence investigation, Rule 32 (c).

§ 3653. REPORT OF PROBATION OFFICER AND ARREST OF
PROBATIONER

3 When directed by the court, the probation officer shall
4 report to the court, with a statement of the conduct of the
5 probationer while on probation. The court may thereupon
6 discharge the probationer from further supervision and may
7 terminate the proceedings against him, or may extend the
8 probation, as shall seem advisable.

9 At any time within the probation period the probation
10 officer may, without a warrant, arrest the probationer wher-
11 ever found. At any time within the probation period, or
12 within five years after the expiration of the probation period,
13 for violation of probation occurring during the probation
14 period, the court which granted probation may issue a war-
15 rant for the probationer's arrest. The warrant may be
16 executed either by the probation officer or the United States
17 marshal for either the district in which the probationer was
18 placed upon probation or for any district in which he is
19 found. If the probationer is arrested in a district other
20 than that in which he was placed upon probation, the officer
21 making the arrest may return him to the district in which
22 the warrant was issued.

23 Such probationer shall forthwith be taken before the
24 court and the court may revoke the probation and require
25 him to serve the sentence imposed, or any lesser sentence,

1 and, if imposition of sentence was suspended, may impose
2 any sentence which might originally have been imposed.

3 § 3654. APPOINTMENT AND REMOVAL OF PROBATION
4 OFFICERS

5 Any court having original jurisdiction to try offenses
6 against the United States, except in the District of Columbia,
7 may appoint one or more suitable persons to serve as pro-
8 bation officers within the jurisdiction and under the direction
9 of the court making such appointment.

10 All such probation officers shall serve without compen-
11 sation except that in case it shall appear to the court that the
12 needs of the service require that there should be salaried
13 probation officers, such court may appoint such officers.

14 Such court may in its discretion remove a probation
15 officer serving in such court.

16 The appointment of a probation officer shall be in writ-
17 ing and shall be entered on the records of the court, and a
18 copy of the order of appointment shall be delivered to the
19 officer so appointed and a copy sent to the Director of the
20 Administrative Office of the United States Courts.

21 Whenever such court shall have appointed more than
22 one probation officer, one may be designated chief probation
23 officer and shall direct the work of all probation officers serv-
24 ing in such court.

1 § 3655. DUTIES OF PROBATION OFFICERS

2 The probation officer shall furnish to each probationer
3 under his supervision a written statement of the conditions
4 of probation and shall instruct him regarding the same.

5 He shall keep informed concerning the conduct and
6 condition of each probationer under his supervision and shall
7 report thereon to the court placing such person on probation.

8 He shall use all suitable methods, not inconsistent with
9 the conditions imposed by the court, to aid probationers and
10 to bring about improvements in their conduct and condition.

11 He shall keep records of his work; shall keep accurate
12 and complete accounts of all moneys collected from persons
13 under his supervision; shall give receipts therefor, and shall
14 make at least monthly returns thereof; shall make such re-
15 ports to the Director of the Administrative Office of the
16 United States Courts as he may at any time require; and
17 shall perform such other duties as the court may direct.

18 Each probation officer shall perform such duties with
19 respect to persons on parole as the Attorney General shall
20 request.

21 § 3656. DUTIES OF DIRECTOR OF ADMINISTRATIVE OF-
22 FICE OF THE UNITED STATES COURTS

23 The Director of the Administrative Office of the United
24 States Courts, or his authorized agent, shall investigate the
25 work of the probation officers and make recommendations

1 concerning the same to the respective judges and shall have
2 access to the records of all probation officers.

3 He shall collect for publication statistical and other
4 information concerning the work of the probation officers.

5 He shall prescribe record forms and statistics to be kept
6 by the probation officers and shall formulate general rules
7 for the proper conduct of the probation work.

8 He shall endeavor by all suitable means to promote the
9 efficient administration of the probation system and the
10 enforcement of the probation laws in all United States courts.

11 He shall, under the supervision of the Judicial Confer-
12 ence of the United States, fix the salaries of probation
13 officers and shall provide for their necessary expenses in-
14 cluding clerical service and travel expenses.

15 He shall incorporate in his annual report a statement
16 concerning the operation of the probation system in such
17 courts.

CHAPTER 233.—CONTEMPTS

Sec.

3691. Jury trial of criminal contempts.

3692. Jury trial for contempt in labor dispute cases.

3693. Summary disposition or jury trial; notice—Rule.

18 § 3691. JURY TRIAL OF CRIMINAL CONTEMPTS

19 Whenever a contempt charged shall consist in willful
20 disobedience of any lawful writ, process, order, rule, decree,
21 or command of any district court of the United States by
22 doing or omitting any act or thing in violation thereof, and

1 the act or thing done or omitted also constitutes a criminal
2 offense under any Act of Congress, or under the laws
3 of any state in which it was done or omitted, the accused,
4 upon demand therefor, shall be entitled to trial by a jury,
5 which shall conform as near as may be to the practice in
6 other criminal cases.

7 This section shall not apply to contempts committed in
8 the presence of the court, or so near thereto as to obstruct
9 the administration of justice, nor to contempts committed
10 in disobedience of any lawful writ, process, order, rule, de-
11 cree, or command entered in any suit or action brought or
12 prosecuted in the name of, or on behalf of, the United
13 States.

14 § 3692. JURY TRIAL FOR CONTEMPT IN LABOR DISPUTE
15 **CASES**

16 In all cases of contempt arising under the laws
17 of the United States governing the issuance of injunctions
18 or restraining orders in any case involving or growing out
19 of a labor dispute, the accused shall enjoy the right to a
20 speedy and public trial by an impartial jury of the State
21 and district wherein the contempt shall have been committed.

22 This section shall not apply to contempts committed in
23 the presence of the court or so near thereto as to interfere
24 directly with the administration of justice nor to the mis-

1 behavior, misconduct, or disobedience of any officer of the
 2 court in respect to the writs, orders or process of the court.

3 § 3693. SUMMARY DISPOSITION OR JURY TRIAL; NOTICE—

4 (RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Summary punishment; certificate of judge; order; notice; jury trial; bail;
 disqualification of judge, Rule 42.

CHAPTER 235.—APPEAL

Sec.

- 3731. Appeal by United States.
- 3732. Taking of appeal; notice; time—Rule.
- 3733. Assignment of errors—Rule.
- 3734. Bill of exceptions abolished—Rule.
- 3735. Bail on appeal or certiorari—Rule.
- 3736. Certiorari—Rule.
- 3737. Record—Rule.
- 3738. Docketing appeal and record—Rule.
- 3739. Supervision—Rule.
- 3740. Argument—Rule.
- 3741. Harmless error and plain error—Rule.

5 § 3731. APPEAL BY UNITED STATES

6 An appeal may be taken by and on behalf of the United
 7 States from the district courts direct to the Supreme Court
 8 of the United States in all criminal cases in the following
 9 instances:

10 From a decision or judgment setting aside, or dismissing
 11 any indictment or information, or any count thereof, where
 12 such decision or judgment is based upon the validity or
 13 construction of the statute upon which the indictment or
 14 information is founded.

15 From a decision arresting a judgment of conviction for

1 insufficiency of the indictment or information, where such
2 decision is based upon the invalidity or construction of the
3 statute upon which the indictment or information is founded.

4 From the decision or judgment sustaining a motion in
5 bar, when the defendant has not been put in jeopardy.

6 An appeal may be taken by and on behalf of the United
7 States from the district courts to a circuit court of appeals
8 or the United States Court of Appeals for the District of
9 Columbia, as the case may be, in all criminal cases, in the
10 following instances:

11 From a decision or judgment setting aside, or dismissing
12 any indictment or information, or any count thereof except
13 where a direct appeal to the Supreme Court of the United
14 States is provided by this section.

15 From a decision arresting a judgment of conviction
16 except where a direct appeal to the Supreme Court of the
17 United States is provided by this section.

18 The appeal in all such cases shall be taken within thirty
19 days after the decision or judgment has been rendered and
20 shall be diligently prosecuted.

21 Pending the prosecution and determination of the appeal
22 in the foregoing instances, the defendant shall be admitted to
23 bail on his own recognizance.

24 If an appeal shall be taken, pursuant to this section, to

1 the Supreme Court of the United States which, in the opinion
 2 of that Court, should have been taken to a circuit court of
 3 appeals, or the United States Court of Appeals for the Dis-
 4 trict of Columbia, the Supreme Court of the United States
 5 shall remand the case to the circuit court of appeals or the
 6 United States Court of Appeals for the District of Columbia,
 7 as the case may be, which shall then have jurisdiction to
 8 hear and determine the same as if the appeal had been taken
 9 to that court in the first instance.

10 If an appeal shall be taken pursuant to this section to any
 11 circuit court of appeals or to the United States Court of
 12 Appeals for the District of Columbia, which, in the opinion
 13 of such court, should have been taken directly to the Supreme
 14 Court of the United States, such court shall certify the case
 15 to the Supreme Court of the United States, which shall
 16 thereupon have jurisdiction to hear and determine the case
 17 to the same extent as if an appeal had been taken directly
 18 to that Court.

19 § 3732. TAKING OF APPEAL; NOTICE; TIME—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Taking appeal; notice, contents, signing; time, Rule 37 (a).

21 § 3733. ASSIGNMENT OF ERRORS—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Assignments of error on appeal abolished, Rule 37 (a) (1). Necessity of specific objection in order to assign error in instructions, Rule 30.

1 § 3734. BILL OF EXCEPTIONS ABOLISHED—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Exceptions abolished, Rule 51.

Bill of exceptions not required, Rule 37 (a) (1).

2 § 3735. BAIL ON APPEAL OR CERTIORARI—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Bail on appeal or certiorari; application, Rules 38 (c) and 46 (a) (2).

3 § 3736. CERTIORARI—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Petition to Supreme Court, time, Rule 37 (b).

4 § 3737. RECORD—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Preparation, form; typewritten record, Rule 39 (b).

Exceptions abolished, Rule 51.

Bill of exceptions unnecessary, Rule 37 (a) (1).

5 § 3738. DOCKETING APPEAL AND RECORD—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Filing record on appeal and docketing proceeding; time, Rule 39 (c).

6 § 3739. SUPERVISION—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Control and supervision in appellate court, Rule 39 (a).

7 § 3740. ARGUMENT—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Setting appeal for argument; preference to criminal appeals, Rule 39 (d).

8 § 3741. HARMLESS ERROR AND PLAIN ERROR—(RULE)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Error or defect as affecting substantial rights, Rule 52.

Defects in indictment, Rule 7.

Waiver of error, Rules 12 (b) (2) and 30.

CHAPTER 237.—RULES OF CRIMINAL PROCEDURE

Sec.

3771. Procedure to and including verdict.

3772. Procedure after verdict.

1 § 3771. PROCEDURE TO AND INCLUDING VERDICT

2 The Supreme Court of the United States shall have the
3 power to prescribe, from time to time, rules of pleading,
4 practice, and procedure with respect to any or all pro-
5 ceedings prior to and including verdict, or finding of guilty
6 or not guilty by the court if a jury has been waived, or
7 plea of guilty, in criminal cases and proceedings to punish
8 for criminal contempt of court in district courts of the
9 United States, including the district courts of Alaska,
10 Hawaii, Puerto Rico, Canal Zone, and the Virgin Islands,
11 in the Supreme Courts of Hawaii and Puerto Rico, and in
12 proceedings before United States commissioners. Such rules
13 shall not take effect until they shall have been reported to
14 Congress by the Attorney General at the beginning of a
15 regular session thereof and until after the close of such
16 session, and thereafter all laws in conflict therewith shall be
17 of no further force and effect.

18 § 3772. PROCEDURE AFTER VERDICT

19 The Supreme Court of the United States shall have the
20 power to prescribe, from time to time, rules of practice and
21 procedure with respect to any or all proceedings after
22 verdict, or finding of guilt by the court if a jury has been
23 waived, or plea of guilty, in criminal cases and proceedings

1 to punish for criminal contempt in district courts of the
 2 United States, including the District Courts of Alaska,
 3 Hawaii, Puerto Rico, Canal Zone, District of Columbia, and
 4 Virgin Islands, in the Supreme Courts of Hawaii, and
 5 Puerto Rico, in the United States Circuit Courts of Appeals,
 6 in the United States Court of Appeals for the District of
 7 Columbia, and in the Supreme Court of the United States.
 8 This section shall not give the Supreme Court power to
 9 abridge the right of the accused to apply for withdrawal of
 10 a plea of guilty, if such application be made within ten days
 11 after entry of such plea, and before sentence is imposed.

12 The right of appeal shall continue in those cases in
 13 which appeals are authorized by law, but the rules made
 14 as herein authorized may prescribe the times for and manner
 15 of taking appeals and applying for writs of certiorari and
 16 preparing records and bills of exceptions and the conditions
 17 on which supersedeas or bail may be allowed.

18 The Supreme Court may fix the dates when such rules
 19 shall take effect and the extent to which they shall apply
 20 to proceedings then pending, and after they become effective
 21 all laws in conflict therewith shall be of no further force.

PART III—PRISONS AND PRISONERS

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CHAPTER 301.—GENERAL PROVISIONS

Sec.

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1 § 4001. CONTROL BY ATTORNEY GENERAL

2 The control and management of Federal penal and cor-
3 rectional institutions, except military or naval institutions,
4 shall be vested in the Attorney General, who shall promul-
5 gate rules for the government thereof, and appoint all neces-
6 sary officers and employees in accordance with the civil-
7 service laws, the Classification Act, as amended and the
8 applicable regulations.

9 The Attorney General may establish and conduct in-
10 dustries, farms, and other activities and classify the in-
11 mates; and provide for their proper government, discipline,
12 treatment, care, rehabilitation, and reformation.

13 § 4002. FEDERAL PRISONERS IN STATE INSTITUTIONS;

14 EMPLOYMENT

15 For the purpose of providing suitable quarters for the
16 safekeeping, care, and subsistence of all persons held under
17 authority of any enactment of Congress, the Director of the

1 Bureau of Prisons may contract, for a period not exceeding
2 three years, with the proper authorities of any State, Ter-
3 ritory, or political subdivision thereof, for the imprisonment,
4 subsistence, care, and proper employment of such persons.

5 Such Federal prisoners shall be employed only in the
6 manufacture of articles for, the production of supplies for,
7 the construction of public works for, and the maintenance
8 and care of the institutions of, the State or political subdi-
9 vision in which they are imprisoned.

10 The rates to be paid for the care and custody of said
11 persons shall take into consideration the character of the
12 quarters furnished, sanitary conditions, and quality of sub-
13 sistence and may be such as will permit and encourage
14 the proper authorities to provide reasonably decent, sanitary,
15 and healthful quarters and subsistence for such persons.

16 § 4003. FEDERAL INSTITUTIONS IN STATES WITHOUT

17 APPROPRIATE FACILITIES

18 If by reason of the refusal or inability of the authorities
19 having control of any jail, workhouse, penal, correctional,
20 or other suitable institution of any State or Territory, or
21 political subdivision thereof, to enter into a contract for the
22 imprisonment, subsistence, care, or proper employment of
23 United States prisoners, or if there are no suitable or suffi-
24 cient facilities available at reasonable cost, the Attorney
25 General may select a site either within or convenient to the

1 State, Territory, or judicial district concerned and cause to
2 be erected thereon a house of detention, workhouse, jail,
3 prison-industries project, or camp, or other place of confine-
4 ment, which shall be used for the detention of persons held
5 under authority of any Act of Congress, and of such
6 other persons as in the opinion of the Attorney General are
7 proper subjects for confinement in such institutions.

8 § 4004. OATHS AND ACKNOWLEDGMENTS

9 The wardens and superintendents, and associate wardens
10 and superintendents of Federal penal or correctional institu-
11 tions may administer oaths to and take acknowledgments
12 of officers, employees, and inmates of such institutions but
13 shall not demand or accept any fee or compensation therefor.

14 § 4005. MEDICAL RELIEF; EXPENSES

15 (a) Upon request of the Attorney General, the Federal
16 Security Administrator shall detail regular and reserve com-
17 missioned officers of the Public Health Service, pharmacists,
18 acting assistant surgeons, and other employees of the Public
19 Health Service to the Department of Justice for the purpose
20 of supervising and furnishing medical, psychiatric, and other
21 technical and scientific services to the Federal penal and
22 correctional institutions.

23 (b) The compensation, allowances, and expenses of the
24 personnel detailed under this section may be paid from appli-
25 cable appropriations of the Public Health Service in accord-

1 ance with the law and regulations governing the personnel
2 of the Public Health Service, such appropriations to be re-
3 imbursed from applicable appropriations of the Department
4 of Justice; or the Attorney General may make allotments
5 of funds and transfer of credit to the Public Health Service
6 in such amounts as are available and necessary, for payment
7 of compensation, allowances, and expenses of personnel so
8 detailed, in accordance with the law and regulations govern-
9 ing the personnel of the Public Health Service.

10 § 4006. SUBSISTENCE FOR PRISONERS

11 The Attorney General shall allow and pay only the
12 reasonable and actual cost of the subsistence of prisoners in
13 the custody of any marshal of the United States, and shall
14 prescribe such regulations for the government of the mar-
15 shals as will enable him to determine the actual and reason-
16 able expenses incurred.

17 § 4007. EXPENSES OF PRISONERS

18 The expenses attendant upon the confinement of per-
19 sons arrested or committed under the laws of the United
20 States, as well as upon the execution of any sentence of a
21 court thereof respecting them, shall be paid out of the
22 Treasury of the United States in the manner provided by
23 law.

1 § 4008. TRANSPORTATION EXPENSES

2 Prisoners shall be transported by agents designated by
3 the Attorney General or his authorized representative.

4 The reasonable expense of transportation, necessary sub-
5 sistence, and hire and transportation of guards and agents
6 shall be paid by the Attorney General from such appropria-
7 tion for the Department of Justice as he shall direct.

8 Upon conviction by a consular court or court martial
9 the prisoner shall be transported from the court to the place
10 of confinement by agents of the Department of State, War,
11 or the Navy, as the case may be, the expense to be paid out
12 of the Treasury of the United States in the manner provided
13 by law.

14 § 4009. APPROPRIATIONS FOR SITES AND BUILDINGS

15 The Attorney General may authorize the use of a sum
16 not to exceed \$100,000 in each instance, payable from any
17 unexpended balance of the appropriation "Support of United
18 States prisoners" for the purpose of leasing or acquiring a
19 site, preparation of plans, and erection of necessary buildings
20 under section 4003 of this title.

21 If in any instance it shall be impossible or impracticable
22 to secure a proper site and erect the necessary buildings
23 within the above limitation the Attorney General may

1 authorize the use of a sum not to exceed \$10,000 in each
 2 instance, payable from any unexpended balance of the ap-
 3 propriation "Support of United States prisoners" for the
 4 purpose of securing options and making preliminary surveys
 5 or sketches.

6 Upon selection of an appropriate site the Attorney Gen-
 7 eral shall submit to Congress an estimate of the cost of
 8 purchasing same and of remodeling, constructing, and equip-
 9 ping the necessary buildings thereon.

CHAPTER 303.—BUREAU OF PRISONS

Sec.

4041. Bureau of Prisons; director and employees.

4042. Duties of Bureau of Prisons.

10 § 4041. BUREAU OF PRISONS; DIRECTOR AND EMPLOYEES

11 The Bureau of Prisons shall be in charge of a director
 12 appointed by and serving directly under the Attorney Gen-
 13 eral at a salary of \$10,000 a year. The Attorney General
 14 may appoint such additional officers and employees as he
 15 deems necessary.

16 § 4042. DUTIES OF BUREAU OF PRISONS

17 The Bureau of Prisons, under the direction of the
 18 Attorney General, shall—

19 (1) have charge of the management and regulation of
 20 all Federal penal and correctional institutions;

21 (2) provide suitable quarters and provide for the safe-
 22 keeping, care, and subsistence of all persons charged with

1 or convicted of offenses against the United States, or held
2 as witnesses or otherwise;

3 (3) provide for the protection, instruction, and discipline
4 of all persons charged with or convicted of offenses against
5 the United States.

6 This section shall not apply to military or naval penal
7 or correctional institutions or the persons confined therein.

CHAPTER 305.—COMMITMENT AND TRANSFER

Sec.

4081. Classification and treatment of prisoners.

4082. Commitment to Attorney General; transfer.

4083. Penitentiary imprisonment; consent.

4084. Copy of commitment delivered with prisoner.

4085. Transfer for state offense; expense.

4086. Temporary safe-keeping of federal offenders by marshals.

8 § 4081. CLASSIFICATION AND TREATMENT OF PRISONERS

9 The Federal penal and correctional institutions shall be
10 so planned and limited in size as to facilitate the develop-
11 ment of an integrated system which will assure the proper
12 classification and segregation of Federal prisoners according
13 to the nature of the offenses committed, the character and
14 mental condition of the prisoners, and such other factors as
15 should be considered in providing an individualized system
16 of discipline, care, and treatment of the persons committed
17 to such institutions.

18 § 4082. COMMITMENT TO ATTORNEY GENERAL; TRANS-

19 FER

20 Persons convicted of an offense against the United States
21 shall be committed, for such terms of imprisonment as the

1 court may direct, to the custody of the Attorney General of
2 the United States or his authorized representative, who shall
3 designate the places of confinement where the sentences shall
4 be served.

5 The Attorney General may designate any available,
6 suitable, and appropriate institutions, whether maintained by
7 the Federal Government or otherwise, or whether within or
8 without the judicial district in which the person was con-
9 victed.

10 The Attorney General may order any inmate transferred
11 from one institution to another.

12 The authority conferred upon the Attorney General by
13 this section shall extend to all persons committed to the
14 National Training School for Boys.

15 § 4083. PENITENTIARY IMPRISONMENT; CONSENT

16 Persons convicted of offenses against the United States
17 or by courts-martial and sentenced to terms of imprisonment
18 of more than one year may be confined in any United States
19 penitentiary.

20 A sentence for an offense punishable by imprisonment
21 for one year or less shall not be served in a penitentiary with-
22 out the consent of the defendant.

1 § 4084. COPY OF COMMITMENT DELIVERED WITH PRISONER

2 Whenever a prisoner is committed to a warden, sheriff
3 or jailer by virtue of a writ, or warrant, a copy thereof shall
4 be delivered to such officer as his authority to hold the
5 prisoner, and the original shall be returned to the proper
6 court or officer, with the officer's return endorsed thereon.

7 § 4085. TRANSFER FOR STATE OFFENSE; EXPENSE

8 (a) Whenever any federal prisoner has been indicted,
9 informed against, or convicted of a felony in a court of record
10 of any State or the District of Columbia, the Attorney Gen-
11 eral shall, if he finds it in the public interest to do so, upon
12 the request of the Governor or the executive authority
13 thereof, and upon the presentation of a certified copy of
14 such indictment, information or judgment of conviction,
15 cause such person, prior to his release, to be transferred to a
16 penal or correctional institution within such State or District.

17 If more than one such request is presented in respect
18 to any prisoner, the Attorney General shall determine which
19 request should receive preference.

20 The expense of personnel and transportation incurred
21 shall be chargeable to the appropriation for the "Support of
22 United States prisoners."

1 (b) This section shall not limit the authority of the
2 Attorney General to transfer prisoners pursuant to other
3 provisions of law.

4 § 4086. TEMPORARY SAFE-KEEPING OF FEDERAL OFFEND-
5 ERS BY MARSHALS

6 United States marshals shall provide for the safe-keeping
7 of any person arrested, or held under authority of any enact-
8 ment of Congress pending commitment to an institution.

CHAPTER 307.—EMPLOYMENT

Sec.

4121. Federal Prison Industries; board of directors.

4122. Administration of Federal Prison Industries.

4123. New industries.

4124. Purchase of prison-made products by Federal departments.

4125. Public works; prison camps.

4126. Prison Industries fund; use and settlement of accounts.

4127. Prison Industries report to Congress.

4128. Enforcement by Attorney General.

9 § 4121. FEDERAL PRISON INDUSTRIES; BOARD OF DIREC-
10 TORS

11 “Federal Prison Industries”, a government corporation
12 of the District of Columbia, shall be administered by a board
13 of five directors, appointed by the President to serve at the
14 will of the President without compensation.

15 The directors shall be representatives of (1) industry,
16 (2) labor, (3) agriculture, (4) retailers and consumers,
17 and (5) the Attorney General, respectively.

1 § 4122. ADMINISTRATION OF FEDERAL PRISON INDUS-
2 TRIES

3 Federal Prison Industries shall determine in what
4 manner and to what extent industrial operations shall be
5 carried on in Federal penal and correctional institutions for
6 the production of commodities for consumption in such insti-
7 tutions or for sale to the departments or agencies of the
8 United States, but not for sale to the public in competition
9 with private enterprise.

10 Its board of directors shall provide employment for all
11 physically fit inmates in the United States penal and cor-
12 rectional institutions, diversify, so far as practicable, prison
13 industrial operations and so operate the prison shops that no
14 single private industry shall be forced to bear an undue
15 burden of competition from the products of the prison work-
16 shops, and to reduce to a minimum competition with private
17 industry or free labor.

18 § 4123. NEW INDUSTRIES

19 Any industry established under this chapter shall be
20 so operated as not to curtail the production of any existing
21 arsenal, navy yard, or other Government workshop.

22 Such forms of employment shall be provided as will
23 give the inmates of all Federal penal and correctional insti-

1 tutions a maximum opportunity to acquire a knowledge and
2 skill in trades and occupations which will provide them with
3 a means of earning a livelihood upon release.

4 The industries may be either within the precincts of any
5 penal or correctional institution or in any convenient locality
6 where an existing property may be obtained by lease, pur-
7 chase, or otherwise.

8 § 4124. PURCHASE OF PRISON-MADE PRODUCTS BY FED-
9 ERAL DEPARTMENTS

10 The several Federal departments and agencies and all
11 other Government institutions of the United States shall
12 purchase at not to exceed current market prices, such
13 products of the industries authorized by this chapter as
14 meet their requirements and may be available.

15 Disputes as to the price, quality, character, or suitability
16 of such products shall be arbitrated by a board consisting of
17 the Comptroller General of the United States, the Director of
18 the Bureau of Federal Supply, Department of the Treasury,
19 and the Director of the Bureau of the Budget, or their
20 representatives. Their decision shall be final and binding
21 upon all parties.

22 § 4125. PUBLIC WORKS; PRISON CAMPS

23 (a) The Attorney General may make available to the
24 heads of the several departments the services of United States
25 prisoners under terms, conditions, and rates mutually agreed

1 upon, for constructing or repairing roads, clearing, maintain-
2 ing, and reforesting public lands, building levees, and con-
3 structing or repairing any other public ways or works
4 financed wholly or in major part by funds appropriated by
5 Congress.

6 (b) The Attorney General may establish, equip, and
7 maintain camps upon sites selected by him elsewhere than
8 upon Indian reservations, and designate such camps as places
9 for confinement of persons convicted of an offense against
10 the laws of the United States.

11 (c) The expenses of transferring and maintaining pris-
12 oners at such camps and of operating such camps shall be
13 paid from the appropriation "Support of United States
14 prisoners", which may, in the discretion of the Attorney Gen-
15 eral, be reimbursed for such expenses.

16 (d) As part of the expense of operating such camps
17 the Attorney General is authorized to provide for the pay-
18 ment to the inmates or their dependents such pecuniary earn-
19 ings as he may deem proper, under such rules and regula-
20 tions as he may prescribe.

21 (e) All other laws of the United States relating to the
22 imprisonment, transfer, control, discipline, escape, release
23 of, or in any way affecting prisoners, shall apply to prisoners
24 transferred to such camps.

1 § 4126. PRISON INDUSTRIES FUND; USE AND SETTLE-
2 MENT OF ACCOUNTS

3 All moneys under the control of Federal Prison Indus-
4 tries, or received from the sale of the products or by-products
5 of such Industries, or for the services of federal prisoners,
6 shall be deposited or covered into the Treasury of the United
7 States to the credit of the Prison Industries Fund and with-
8 drawn therefrom only pursuant to accountable warrants or
9 certificates of settlement issued by the General Accounting
10 Office.

11 All valid claims and obligations payable out of said fund
12 shall be assumed by the corporation.

13 The corporation, in accordance with the laws generally
14 applicable to the expenditures of the several departments and
15 establishments of the government, is authorized to employ
16 the fund, and any earnings that may accrue to the corpo-
17 ration, as operating capital in performing the duties imposed
18 by this chapter; in the repair, alteration, erection and mainte-
19 nance of industrial buildings and equipment; in paying,
20 under rules and regulations promulgated by the Attorney
21 General, compensation to inmates employed in any industry,
22 or performing outstanding services in institutional operations,
23 and compensation to inmates or their dependents for injuries
24 suffered in any industry. In no event shall compensation be

1 paid in a greater amount than that provided in the Federal
2 Employees' Compensation Act.

3 Accounts of all receipts and disbursements of the cor-
4 poration shall be rendered to the General Accounting Office
5 for settlement and adjustment, as required by the Comptroller
6 General.

7 Such accounting shall include all fiscal transactions of the
8 corporation, whether involving appropriated moneys, capital,
9 or receipts from other sources.

10 § 4127. PRISON INDUSTRIES REPORT TO CONGRESS

11 The board of directors of Federal Prison Industries shall
12 make annual reports to Congress on the conduct of the busi-
13 ness of the corporation and on the condition of its funds.

14 § 4128. ENFORCEMENT BY ATTORNEY GENERAL

15 In the event of any failure of Federal Prison Industries
16 to act, the Attorney General shall not be limited in carrying
17 out the duties conferred upon him by law.

CHAPTER 309.—GOOD TIME ALLOWANCES

Sec.

4161. Computation generally.

4162. Industrial good time.

4163. Discharge.

4164. Released prisoner as parolee.

4165. Forfeiture for offense.

4166. Restoration of forfeited commutation.

18 § 4161. COMPUTATION GENERALLY

19 Each prisoner convicted of an offense against the
20 United States and confined in a penal or correctional insti-

1 tution for a definite term other than for life, whose record of
2 conduct shows that he has faithfully observed all the rules and
3 has not been subjected to punishment, shall be entitled to a
4 deduction from the term of his sentence beginning with the
5 day on which the sentence commences to run, to be credited
6 as earned and computed monthly as follows:

7 Five days for each month, if the sentence is not less
8 than six months and not more than one year.

9 Six days for each month, if the sentence is more than
10 one year and less than three years.

11 Seven days for each month, if the sentence is not less
12 than three years and less than five years.

13 Eight days for each month, if the sentence is not less
14 than five years and less than ten years.

15 Ten days for each month, if the sentence is ten years
16 or more.

17 When two or more consecutive sentences are to be
18 served, the aggregate of the several sentences shall be the
19 basis upon which the deduction shall be computed.

20 § 4162. INDUSTRIAL GOOD TIME

21 A prisoner may, in the discretion of the Attorney Gen-
22 eral, be allowed a deduction from his sentence of not to
23 exceed three days for each month of actual employment
24 in an industry or camp for the first year or any part thereof,

1 and not to exceed five days for each month of any suc-
2 ceeding year or part thereof.

3 In the discretion of the Attorney General such allow-
4 ance may also be made to a prisoner performing excep-
5 tionally meritorious service or performing duties of out-
6 standing importance in connection with institutional opera-
7 tions.

8 Such allowance shall be in addition to commutation of
9 time for good conduct, and under the same terms and con-
10 ditions and without regard to length of sentence.

11 § 4163. DISCHARGE

12 A prisoner shall be released at the expiration of his
13 term of sentence less the time deducted for good conduct. A
14 certificate of such deduction shall be entered on the commit-
15 ment by the warden or keeper.

16 § 4164. RELEASED PRISONER AS PAROLEE

17 A prisoner having served the term or terms for which
18 he shall have been sentenced after June 29, 1932, less good
19 time deductions, shall upon release be treated as if released
20 on parole, and shall be subject to all provisions of law re-
21 lating to the parole of United States prisoners until the
22 expiration of the maximum term or terms for which he was
23 sentenced.

24 This section shall not prevent delivery of a prisoner to

1 the authorities of any State otherwise entitled to his custody.

2 § 4165. FORFEITURE FOR OFFENSE

3 If during the term of imprisonment a prisoner commits
4 any offense or violates the rules of the institution, all or any
5 part of his earned good time may be forfeited.

6 § 4166. RESTORATION OF FORFEITED COMMUTATION

7 The Attorney General may restore any forfeited or lost
8 good time or such portion thereof as he deems proper upon
9 recommendation of the Director of the Bureau of Prisons.

CHAPTER 311.—PAROLE

Sec.

4201. Board of Parole; members; salaries.

4202. Prisoners eligible.

4203. Application and release; terms and conditions.

4204. Aliens.

4205. Retaking parole violator under warrant; time to serve undimin-
ished.

4206. Officer executing warrant to retake parole violator.

4207. Revocation upon retaking parolee.

10 § 4201. BOARD OF PAROLE; MEMBERS; SALARIES

11 A Board of Parole, consisting of three members, shall be
12 appointed by the Attorney General, at a salary of \$7,500
13 each per annum.

14 § 4202. PRISONERS ELIGIBLE

15 A Federal prisoner, other than a juvenile delinquent,
16 wherever confined and serving a definite term or terms of
17 over one year, whose record shows that he has observed
18 the rules of the institution in which he is confined, may be
19 released on parole after serving one-third of such term or
20 terms or after serving fifteen years of a life sentence.

1 § 4203. APPLICATION AND RELEASE; TERMS AND CON-
2 DITIONS

3 (a) If it appears to the Board of Parole from a report
4 by the proper institutional officers or upon application by a
5 prisoner eligible for release on parole, that there is a rea-
6 sonable probability that such prisoner will live and remain
7 at liberty without violating the laws, and if in the opinion of
8 the Board such release is not incompatible with the welfare
9 of society, the Board may in its discretion authorize the
10 release of such prisoner on parole.

11 Such parolee shall be allowed in the discretion of the
12 Board, to return to his home, or to go elsewhere, upon such
13 terms and conditions, including personal reports from such
14 paroled person, as the Board shall prescribe, and to remain,
15 while on parole, in the legal custody and under the control
16 of the Attorney General, until the expiration of the maxi-
17 mum term or terms for which he was sentenced.

18 Each order of parole shall fix the limits of the parolee's
19 residence which may be changed in the discretion of the
20 Board.

21 (b) The parole of any prisoner sentenced before June
22 29, 1932, shall be for the remainder of the term or terms
23 specified in his sentence, less good time allowances provided
24 by law.

1 § 4204. ALIENS

2 When an alien prisoner subject to deportation becomes
3 eligible for parole, the Board of Parole may authorize his
4 release on condition that he be deported and remain outside
5 the United States.

6 Such prisoner, when his parole becomes effective, shall
7 be delivered to the duly authorized immigration official for
8 deportation.

9 § 4205. RETAKING PAROLE VIOLATOR UNDER WARRANT;

10 TIME TO SERVE UNDIMINISHED

11 A warrant for the retaking of any United States prisoner
12 who has violated his parole, may be issued only by the Board
13 of Parole or a member thereof and within the maximum term
14 or terms for which he was sentenced. The unexpired term
15 of imprisonment of any such prisoner shall begin to run
16 from the date he is returned to the custody of the Attorney
17 General under said warrant, and the time the prisoner was
18 on parole shall not diminish the time he was sentenced
19 to serve.

20 § 4206. OFFICER EXECUTING WARRANT TO RETAKE PA-

21 ROLE VIOLATOR

22 Any officer of any Federal penal or correctional insti-
23 tution, or any Federal officer authorized to serve criminal
24 process within the United States, to whom a warrant for the
25 retaking of a parole violator is delivered, shall execute such

1 warrant by taking such prisoner and returning him to the
2 custody of the Attorney General.

3 § 4207. REVOCATION UPON RETAKING PAROLEE

4 A prisoner retaken upon a warrant issued by the Board
5 of Parole, shall be given an opportunity to appear before
6 the Board, a member thereof, or an examiner designated by
7 the Board.

8 The Board may then, or at any time in its discretion,
9 revoke the order of parole and terminate such parole or
10 modify the terms and conditions thereof.

11 If such order of parole shall be revoked and the parole
12 so terminated, the said prisoner may be required to serve
13 all or any part of the remainder of the term for which he
14 was sentenced.

CHAPTER 313.—MENTAL DEFECTIVES

Sec.

4241. Examination and transfer to hospital.

4242. Retransfer upon recovery.

4243. Delivery to state authorities.

15 § 4241. EXAMINATION AND TRANSFER TO HOSPITAL

16 A board of examiners for each Federal penal and cor-
17 rectional institution shall consist of (1) a medical officer
18 appointed by the warden or superintendent of the institution;
19 (2) a medical officer appointed by the Attorney General;
20 and (3) a competent expert in mental diseases appointed
21 by the Surgeon General of the United States Public Health
22 Service.

1 Such board shall examine any inmate of the institution
2 alleged to be insane or of unsound mind or otherwise de-
3 fective and report their findings and the facts on which they
4 are based to the Attorney General.

5 The Attorney General, upon receiving such report, may
6 direct the warden or superintendent or other official having
7 custody of the prisoner to cause such prisoner to be removed
8 to the United States hospital for defective delinquents or
9 to any other institution authorized by law to receive insane
10 persons charged with or convicted of offenses against the
11 United States, there to be kept until, in the judgment of
12 the superintendent of said hospital, the prisoner shall be
13 restored to sanity or health or until the maximum sentence,
14 without deduction for good time or commutation of sentence,
15 shall have been served.

16 § 4242. RETRANSFER UPON RECOVERY

17 An inmate of the United States hospital for defective
18 delinquents whose sanity or health is restored prior to the
19 expiration of his sentence may be retransferred to any penal
20 or correctional institution designated by the Attorney Gen-
21 eral, there to remain pursuant to the original sentence, com-
22 puting the time of his detention or confinement in said hospi-
23 tal as part of the term of his imprisonment.

1 § 4243. DELIVERY TO STATE AUTHORITIES ON EXPIRA-
 2 TION OF SENTENCE

3 The superintendent of the United States hospital for
 4 defective delinquents shall notify the proper authorities of
 5 the State, Territory, District, or Possession where any in-
 6 sane prisoner has his legal residence, or, if this cannot be
 7 ascertained, the proper authorities of the State, Territory,
 8 District, or Possession from which he was committed, of
 9 the date of expiration of sentence of any prisoner who, in
 10 the judgment of such superintendent, is still insane or a
 11 menace to the public. Such superintendent shall cause
 12 such prisoner to be delivered into the custody of the proper
 13 authorities of such State, Territory, District or Possession.

CHAPTER 315.—DISCHARGE AND RELEASE PAYMENTS

Sec.

4281. Discharge from prison.

4282. Arrested but unconvicted persons.

4283. Probation.

14 § 4281. DISCHARGE FROM PRISON

15 A person convicted under the laws of the United
 16 States shall, upon discharge from imprisonment, or release
 17 on parole, be furnished with transportation to the place of
 18 conviction or bona fide residence within the United States
 19 at the time of his commitment or to such place within the
 20 United States as may be authorized by the Attorney General.

21 He shall also be furnished with such suitable clothing
 22 as may be authorized by the Attorney General, and, in the

1 discretion of the Attorney General, an amount of money
2 not to exceed \$30.

3 § 4282. ARRESTED BUT UNCONVICTED PERSONS

4 On the release from custody of a person arrested on a
5 charge of violating any law of the United States or of the
6 Territory of Alaska, but not indicted nor informed against,
7 or indicted or informed against but not convicted, and not
8 admitted to bail, or a person held as a material witness and
9 unable to make bail, the court in its discretion may direct
10 the United States marshal for the district wherein he is
11 released, pursuant to regulations promulgated by the Attor-
12 ney General, to furnish the person so released with trans-
13 portation and subsistence to the place of his arrest or, at
14 his election, to the place of his bona fide residence if such
15 cost is not greater than to the place of arrest.

16 § 4283. PROBATION

17 A court of the United States when placing a defendant
18 on probation, may direct the United States marshal to
19 furnish the defendant with transportation to the place to
20 which the defendant is required to proceed under the terms
21 of his probation and, in addition, may also direct the marshal
22 to furnish the defendant with an amount of money, not to
23 exceed \$30, for subsistence expense to his destination. In
24 such event, such expenses shall be paid by the marshal.

1 § 4321. BOARD OF ADVISERS

2 Four citizens of the United States of prominence and
 3 distinction, appointed by the President to serve without
 4 compensation, for terms of four years, together with the
 5 Attorney General of the United States, the Director of
 6 the Bureau of Prisons and the warden of the Federal Re-
 7 formatory for Women, shall constitute a Board of Advisers
 8 of said Federal Reformatory for Women, which shall recom-
 9 mend ways and means for the discipline and training of the
 10 inmates, to fit them for suitable employment upon their
 11 parole or discharge.

12 Any person chosen to fill a vacancy shall be appointed
 13 only for the unexpired term of the citizen whom he shall
 14 succeed.

PART IV—CORRECTION OF YOUTHFUL OFFENDERS

Chapter	Sec.
401. General provisions -----	5001
403. Juvenile delinquency-----	5031

CHAPTER 401.—GENERAL PROVISIONS

Sec.
 5001. Surrender to state authorities; expenses.

15 § 5001. SURRENDER TO STATE AUTHORITIES; EXPENSES

16 Whenever any person under twenty-one years of age
 17 has been arrested, charged with the commission of an offense
 18 punishable in any court of the United States or of the District
 19 of Columbia, and, after investigation by the Department of
 20 Justice, it appears that such person has committed an offense
 21 or is a delinquent under the laws of any State or of the

1 District of Columbia which can and will assume jurisdiction
2 over such juvenile and will take him into custody and deal
3 with him according to the laws of such State or of the
4 District of Columbia, and that it will be to the best interest
5 of the United States and of the juvenile offender, the United
6 States attorney of the district in which such person has been
7 arrested may forego his prosecution and surrender him as
8 herein provided.

9 The United States marshal of such district upon written
10 order of the United States attorney shall convey such person
11 to such State or the District of Columbia, or, if already
12 therein, to any other part thereof and deliver him into the
13 custody of the proper authority thereof.

14 Before any person is conveyed from one State to another
15 or from or to the District of Columbia under this section, he
16 shall signify his willingness to be so returned, or there shall
17 be presented to the United States attorney a demand from
18 the executive authority of such State or the District of
19 Columbia, to which the prisoner is to be returned, supported
20 by indictment or affidavit as prescribed by section 3182 of
21 this title.

22 The expense incident to the transportation of any such
23 person, as herein authorized, shall be paid from the appro-
24 priation "Salaries, Fees, and Expenses, United States
25 Marshals."

CHAPTER 403.—JUVENILE DELINQUENCY

Sec.

5031. Definitions.

5032. Proceeding against juvenile delinquent.

5033. Jurisdiction; written consent; jury trial precluded.

5034. Probation; commitment to custody of Attorney General; support.

5035. Arrest, detention and bail.

5036. Contracts for support; payment.

5037. Parole.

1 § 5031. DEFINITIONS

2 For the purposes of this chapter a “juvenile” is a per-
3 son who has not attained his eighteenth birthday, and
4 “juvenile delinquency” is the violation of a law of the United
5 States committed by a juvenile and not punishable by death
6 or life imprisonment.

7 § 5032. PROCEEDING AGAINST JUVENILE DELINQUENT

8 A juvenile alleged to have committed one or more acts
9 in violation of a law of the United States not punishable by
10 death or life imprisonment, and not surrendered to the au-
11 thorities of a state, shall be proceeded against as a juvenile
12 delinquent if he consents to such procedure, unless the
13 Attorney General, in his discretion, has expressly directed
14 otherwise.

15 In such event the juvenile shall be proceeded against
16 by information and no criminal prosecution shall be insti-
17 tuted for the alleged violation.

18 § 5033. JURISDICTION; WRITTEN CONSENT; JURY TRIAL

19 PRECLUDED

20 District Courts of the United States shall have juris-
21 diction of proceedings against juvenile delinquents. For

1 such purposes, the court may be convened at any time and
2 place within the district, in chambers or otherwise. The
3 proceeding shall be without a jury. The consent required
4 to be given by the juvenile shall be given by him in writing
5 before a Judge of the District Court of the United States
6 having cognizance of the alleged violation, who shall fully
7 apprise the juvenile of his rights and of the consequences
8 of such consent. Such consent shall be deemed a waiver of
9 a trial by jury.

10 § 5034. PROBATION; COMMITMENT TO CUSTODY OF AT-
11 TORNEY GENERAL; SUPPORT

12 If the court finds a juvenile to be a delinquent, it may
13 place him on probation for a period not exceeding his
14 minority, or commit him to the custody of the Attorney
15 General for a like period.

16 Such commitment shall not exceed the term which
17 might have been imposed had he been tried and convicted
18 of the alleged violation.

19 The Attorney General may designate any public or
20 private agency or foster home for the custody, care, sub-
21 sistence, education, and training of the juvenile during the
22 period for which he was committed.

23 The cost of such custody and care may be paid from the
24 appropriation for "Support of United States prisoners" or

1 such other appropriation as the Attorney General may
2 designate.

3 § 5035. ARREST, DETENTION AND BAIL

4 Whenever a juvenile is arrested for an alleged violation
5 of any law of the United States, the arresting officer shall
6 immediately notify the Attorney General.

7 If the juvenile is not forthwith taken before a commit-
8 ting magistrate, he may be detained in such juvenile home or
9 other suitable place of detention as the Attorney General
10 may designate for such purposes, but shall not be detained
11 in a jail or similar place of detention, unless, in the opinion
12 of the arresting officer, such detention is necessary to secure
13 the custody of the juvenile, or to insure his safety or that of
14 others.

15 In no case shall such detention be for a longer period
16 than is necessary to produce the juvenile before a commit-
17 ting magistrate.

18 The committing magistrate may release the juvenile on
19 bail, upon his own recognizance or that of some responsible
20 person, or in default of bail may commit him to the custody
21 of the United States marshal, who shall lodge him in such
22 juvenile home or other suitable place of detention as the
23 Attorney General may designate for that purpose.

24 The juvenile shall not be committed to a jail or other

1 similar institution, unless in the opinion of the marshal it
2 appears that such commitment is necessary to secure the
3 custody of the juvenile or to insure his safety or that of
4 others.

5 A juvenile detained in a jail or similar institution shall
6 be held in custody in a room or other place apart from adults
7 if facilities for such segregation are available.

8 § 5036. CONTRACTS FOR SUPPORT; PAYMENT

9 The Director of the Bureau of Prisons may contract
10 with public or private agencies or foster homes for the
11 custody, care, subsistence, education, and training of juvenile
12 delinquents and may defray the cost of such custody, care,
13 subsistence, education, and training from the appropriation
14 for "Support of United States prisoners" or such other ap-
15 propriation as the Attorney General may designate.

16 § 5037. PAROLE

17 A juvenile delinquent who has been committed and
18 who, by his conduct, has given sufficient evidence that he
19 has reformed, may be released on parole at any time under
20 such conditions and regulations as the Board of Parole
21 deems proper if it shall appear to the satisfaction of such
22 Board that there is reasonable probability that the juvenile
23 will remain at liberty without violating the law.

1 SEC. 2. Section 4611 of the Revised Statutes, as
2 amended (46 U. S. C., section 712), is further amended to
3 read as follows:

4 "SEC. 4611. Whenever any officer of a vessel of the
5 United States, other than the master thereof, violates sec-
6 tion 2191 of Title 18, the master shall, if he has actual
7 knowledge of the offense or if complaint be made within three
8 days after reaching port, surrender such officer to the proper
9 authorities. Any failure on the part of such master to use
10 due diligence to comply herewith, which failure shall result
11 in the escape of such officer, shall render the master or vessel
12 or the owner of the vessel liable in damages for such flog-
13 ging or corporal punishment to the person illegally punished
14 by such officer."

15 SEC. 3. The fourteenth paragraph of section 17 of the
16 Act of August 1, 1914 (chapter 222, 38 Stat. 601; 25
17 U. S. C., section 86), is amended to read as follows:

18 "Land allotted to any applicant for enrollment as a
19 citizen in the Five Civilized Tribes whether an Indian or
20 freedman, shall not be affected or encumbered by any deed,
21 debt, or obligation of any character contracted prior to the
22 time at which said land may be alienated under the laws

1 of the United States: *Provided further*, That the interest
2 accruing from tribal funds and deposited in banks in the
3 State of Oklahoma may be used as authorized by the Act
4 of March third, nineteen hundred and eleven, under the
5 direction of the Secretary of the Interior, to defray the
6 "expense of per capita payments authorized by Congress."

7 SEC. 4. Subsection (f) of section 514 of the Act of
8 February 16, 1938, chapter 30 (52 Stat. 77; 7 U. S. C.,
9 section 1514 (f)), is amended to read as follows:

10 "(f) The provisions of section 3741 of the Revised Stat-
11 utes, as amended (41 U. S. C., section 22), shall not apply
12 to any crop insurance agreements made under this title."

13 SEC. 5. Section 510 of the Act approved July 1, 1944
14 (chapter 373, 58 Stat. 711; 42 U. S. C., section 228), is
15 amended to read as follows:

16 "WEARING OF UNIFORMS

17 "SEC. 510. Except as may be authorized by regulations
18 of the President, the insignia and uniform of commissioned
19 officers of the Service, or any distinctive part of such insignia
20 or uniform, or any insignia or uniform any part of which is
21 similar to a distinctive part thereof, shall not be worn, after
22 the promulgation of such regulations, by any person other
23 than a commissioned officer of the Service."

24 SEC. 6. Section 1 of the Revised Statutes (1 U. S. C.,
25 sec. 1) is amended to read as follows:

1 “In determining the meaning of any Act of Congress,
2 unless the context indicates otherwise—

3 “words importing the singular include and apply
4 to several persons, parties, or things;

5 “words importing the plural include the singular;

6 “words importing the masculine gender include the
7 feminine as well;

8 “words used in the present tense include the future
9 as well as the present;

10 “the words ‘insane’ and ‘insane person’ and ‘luna-
11 tic’ shall include every idiot, lunatic, insane person, and
12 person non compos mentis;

13 “the words ‘person’ and ‘whoever’ include corpora-
14 tions, companies, associations, firms, partnerships, so-
15 cieties, and joint stock companies, as well as individuals;

16 “‘officer’ includes any person authorized by law to
17 perform the duties of the office;

18 “‘signature’ or ‘subscription’ includes a mark when
19 the person making the same intended it as such;

20 “‘oath’ includes affirmation, and ‘sworn’ includes
21 affirmed;

22 “‘writing’ includes printing and typewriting and
23 reproductions of visual symbols by photographing,

1 multigraphing, mimeographing, manifolding, or other-
2 wise.”

3 SEC. 7. Section 14 of the Act approved June 18,
4 1929, chapter 28 (46 Stat. 25; 39 U. S. C., sec. 337),
5 is amended to read as follows:

6 “SEC. 14. That all mail matter, of whatever class or
7 weight, relating to the census and addressed to the Census
8 Office, or to any official thereof, and indorsed ‘Official busi-
9 ness, Census Office’, shall be transmitted free of postage,
10 and by registered mail if necessary, and so marked.”

11 SEC. 8. Section 2 of the Act approved January 24,
12 1905, chapter 137 (33 Stat. 614; 16 U. S. C., sec. 685,
13 part), is amended to read as follows:

14 “SEC. 2. That when such areas have been designated
15 as provided for in section one of this Act, hunting, trapping,
16 killing, or capturing of game animals and birds upon the
17 lands of the United States within the limits of said areas
18 shall be unlawful, except under such regulations as may
19 be prescribed from time to time, by the Secretary of the
20 Interior.”

21 SEC. 9. Section 2 of the Act approved June 29, 1906,
22 chapter 3593 (34 Stat. 607; 16 U. S. C., sec. 685, part),
23 is amended to read as follows:

24 “SEC. 2. That when such areas have been designated
25 as provided in section one of this Act, hunting, trapping,

1 killing, or capturing of game animals upon the lands of
2 the United States within the limits of said areas shall be
3 unlawful, except under such regulations as may be pre-
4 scribed from time to time by the Secretary of Agriculture.”

5 SEC. 10. The paragraph immediately preceding “Part
6 A” of the Act approved August 11, 1916, ch. 313, 39
7 Stat. 446, entitled “An Act Making appropriations for the
8 Department of Agriculture for the fiscal year ending June
9 thirtieth, nineteen hundred and seventeen, and for other
10 purposes”, said paragraph appearing as the first full para-
11 graph on page 476 of said volume 39 of the United States
12 Statutes at Large, and being section 683 of Title 16 of
13 the United States Code, is amended to read as follows:

14 “That the President of the United States is hereby au-
15 thorized to designate such areas on any lands which have
16 been, or which may hereafter be, purchased by the United
17 States under the provisions of the Act of March first, nineteen
18 hundred and eleven (Thirty-six Statutes at Large, page nine
19 hundred and sixty-one), entitled ‘An Act to enable any
20 State to cooperate with any other State or States, or with
21 the United States, for the protection of watersheds of navi-
22 gable streams, and to appoint a commission for the acqui-
23 sition of lands for the purpose of conserving the navigability
24 of navigable streams’, and Acts supplementary thereto and
25 amendatory thereof, as should, in his opinion, be set aside

1 for the protection of game animals, birds, or fish; and, except
2 under such rules and regulations as the Secretary of Agri-
3 culture may from time to time prescribe, it shall be unlawful
4 for any person to hunt, catch, trap, willfully disturb or kill
5 any kind of game animal, game or nongame bird, or fish,
6 or take the eggs of any such bird on any lands so set aside,
7 or in or on the waters thereof."

8 SEC. 11. Section 2 of the Act approved June 5, 1920,
9 chapter 247 (41 Stat. 986; 16 U. S. C., sec. 676, part),
10 is amended to read as follows:

11 "SEC. 2. That when such areas have been designated
12 as provided for in section 1 of this Act, hunting, trapping,
13 killing, or capturing of game animals and birds upon the
14 lands of the United States within the limits of said areas
15 shall be unlawful, except under such regulations as may be
16 prescribed from time to time by the Secretary of Agriculture."

17 SEC. 12. The Act approved February 28, 1925, chapter
18 376 (43 Stat. 1091; 16 U. S. C., sec. 682), as amended, is
19 amended to read as follows:

20 "That the President of the United States is hereby
21 authorized to designate such national forest lands within the
22 Ozark National Forest, within the State of Arkansas, as
23 should, in his discretion, be set aside for the protection of
24 game animals, birds, or fish; and, except under such rules
25 and regulations as the Secretary of Agriculture may from

1 time to time prescribe, it shall be unlawful for any person
2 to hunt, catch, trap, willfully disturb, or kill any kind of
3 game animal, game or nongame bird, or fish, or take the
4 eggs of any such bird on any lands so set aside, or in or on
5 the waters thereof."

6 SEC. 13. Section 6 of the Act approved July 3, 1926,
7 chapter 744 (44 Stat. 821; 16 U. S. C., sec. 688), is
8 amended to read as follows:

9 "SEC. 6. That all parts of township 17 south, ranges
10 31 and 32 east, and township 18 south, range 31 east, Mount
11 Diablo base and meridian, which are north of the hydro-
12 graphic divide passing through Farewell Gap, and which
13 are not added to and made part of the Sequoia National
14 Park by the provisions of this Act, are hereby designated as
15 the Sequoia National Game Refuge, and the hunting, trap-
16 ping, killing, or capturing of birds and game or other wild
17 animals upon the lands of the United States within the limits
18 of the said area shall be unlawful, except under such regula-
19 tions as may be prescribed from time to time by the Secre-
20 tary of Agriculture: *Provided*, That it is the purpose of this
21 section to protect from trespass the public lands of the United
22 States and the game animals which may be thereon, and not
23 to interfere with the operation of the local game laws as
24 affecting private or State lands: *Provided further*, That the
25 lands included in said game refuge shall continue to be parts

1 of the Sequoia National Forest and nothing contained in
2 this section shall prevent the Secretary of Agriculture from
3 permitting other uses of said lands under and in conformity
4 with the laws and rules and regulations applicable thereto
5 so far as may be consistent with the purposes for which said
6 game refuge is established.”

7 SEC. 14. Section 3 of the Act approved July 3, 1926,
8 chapter 776 (44 Stat. 889; 16 U. S. C., sec. 689b), is
9 amended to read as follows:

10 “SEC. 3. On lands within the game preserve established
11 in section 2 of this Act, hunting, pursuing, poisoning, killing,
12 or capturing by trapping, netting, or any other means,
13 or attempting to hunt, pursue, kill, or capture any wild
14 animals or birds for any purpose whatever upon the lands
15 of the United States within the limits of said game preserve
16 shall be unlawful except as hereinafter provided.”

17 SEC. 15. Section 2 of the Act approved June 28, 1930,
18 chapter 709 (46 Stat. 828; 16 U. S. C., sec. 692a), is
19 amended to read as follows:

20 “SEC. 2. That when such game sanctuaries or refuges
21 have been established as provided in section 1 hereof, the
22 hunting, pursuing, poisoning, killing, or capturing by trap-
23 ping, netting, or any other means, or attempting to hunt,
24 pursue, kill, or capture any game animals or birds upon
25 the lands of the United States within the limits of such

1 game sanctuaries or refuges shall be unlawful, except under
2 such rules and regulations as the Secretary of Agriculture
3 may from time to time prescribe.”

4 SEC. 16. Section 2 of the Act approved March 10,
5 1934, chapter 54 (48 Stat. 400, 401; 16 U. S. C., sec.
6 694a), is amended to read as follows:

7 “SEC. 2. That when such fish and game sanctuaries
8 or refuges have been established as provided in section 1
9 of this Act, hunting, pursuing, poisoning, angling for, killing,
10 or capturing by trapping, netting, or any other means,
11 or attempting to hunt, pursue, angle for, kill, or capture
12 any wild animals or fish for any purpose whatever upon
13 the lands of the United States within the limits of said fish
14 and game sanctuaries or refuges shall be unlawful except
15 as hereinafter provided.”

16 SEC. 17. The first sentence of section 8 (now codified
17 in sections 156a and 171 of Title 46 U. S. C.) of the Act
18 approved August 2, 1882, Chapter 374 (22 Stat. 189), is
19 amended to read as follows:

20 “Horses, cattle, or other animals taken on board of
21 or brought in any such vessel shall not be carried on any
22 deck below the deck on which passengers are berthed, nor
23 in any compartment in which passengers are berthed, nor
24 in any adjoining compartment except in a vessel built of

1 iron and of which the compartments are divided off by
2 watertight bulkheads extending to the upper deck.”

3 SEC. 18. The Canal Zone Code is amended by adding
4 a section at the end of chapter 2 of Title 7 thereof to read as
5 follows:

6 “SEC. 44a. The following sections of Title 18, United
7 States Code, shall apply to and within the Canal Zone:
8 Sections 6, 8, 11, 331, 371, 472, 474, 478, 479, 480,
9 481, 482, 483, 485, 488, 489, 490, 499, 502, 506, 594,
10 595, 598, 600, 601, 604, 605, 608, 611, 612, 703, 756,
11 791, 792, 793, 794, 795, 796, 797, 915, 917, 951, 953,
12 954, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965,
13 966, 967, 1017, 1073, 1301, 1364, 1382, 1542, 1543,
14 1544, 1546, 1548, 1621, 1622, 1761, 1821, 1914, 2151,
15 2152, 2153, 2154, 2155, 2156, 2199, 2231, 2234, 2235,
16 2274, 2275, 2277, 2304, 2385, 2388, 2389, 2390, 2421,
17 2422, 2423, 2424, 3059, 3105, 3109.

18 “b. The following sections of Title 18, United States
19 Code, shall not apply to or within the Canal Zone: Sec-
20 tions 41, 42, 43, 44, 544, 545, 546, 547, 551, 552, 708,
21 968, 1856, 3481.”

22 SEC. 19. If any part of Title 18, Crimes and Criminal

1 Procedure, as set out in section 1 of this Act, shall be held
2 invalid the remainder shall not be affected thereby.

3 SEC. 20. No inference of a legislative construction is
4 to be drawn by reason of the chapter in Title 18, Crimes
5 and Criminal Procedure, as set out in section 1 of this Act,
6 in which any particular section is placed, nor by reason of
7 the catchlines used in such title.

8 SEC. 21. This Act shall become effective immediately,
9 except that section 610 of Title 18, Crimes and Criminal
10 Procedure, as set out in section 1 of this Act, and the repeal
11 of section 313 of the Act of February 28, 1925, chapter
12 368, 43 Stat. 1074, provided for in the schedule of repeals
13 set out in this Act, shall both become effective upon the
14 termination of section 9 of the Act of June 25, 1943, chap-
15 ter 144, 57 Stat. 167."

16 SEC. 22. The sections or parts thereof of the Revised
17 Statutes or Statutes at Large enumerated in the following
18 schedule are hereby repealed. Any rights or liabilities now
19 existing under such sections or parts thereof shall not be
20 affected by this repeal.

Revised Statutes	U. S. Code		Revised Statutes	U. S. Code	
	Title	Section		Title	Section
Section:			Section:		
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888-----	28	669	4602-----	46	704
1014-----	18	591	4606-----	46	708
1015-----	18	596	4746-----	18	81
1016-----	18	597		38	126
1017-----	18	598		43	787
1018-----	18	599	4800-----	42	114
1019-----	18	600	5187-----	12	581
1020-----	18	601	5208-----	12	591
1021-----	18	554	5209-----	12	592
1022-----	18	555	5243-----	12	583
1023-----	18	560	5270-----	18	651, 652
1024-----	18	557	5271-----	18	655
1025-----	18	556			(note)
1026-----	18	561	5272-----	18	653
1027-----	18	602	5273-----	18	654
1028-----	18	603	5274-----	18	658
1029-----	18	604	5275-----	18	659
1030-----	18	605	5276-----	18	660
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1033-----	18	562	5278-----	18	662
1034-----	18	563	5279-----	18	663
1035-----	18	565	5296-----	18	641
1036-----	18	566	5396-----	18	558
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2155-----	25	228			

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¹ Only the part amending R. S. § 2146.² Only the part amending R. S. § 2139.³ Second sentence, only, of the seventh paragraph appearing on this page.⁴ Only the provisions amending R. S. § 3162.⁵ First and third provisos appearing on this page.⁶ Fourth proviso commencing on this page and ending on p. 958.⁷ Second sentence of proviso, only.

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1902—Apr. 21—	563	1 (part)	32	¹¹ 113	18	321
June 14—	1088	3	32	386	22	219
June 21—	1140	1-3	32	397, 398	18	710, 711, 712, 712a
June 28—	1301	1 (part)	32	¹² 475	18	668
1903—Feb. 9—	529	1, 2	32	806, 807	18	592, 666
1905—Jan. 5—	23	4	33	600	36	4
Feb. 6—	454	1, 2	33	698	18	244, 664, 665
Mar. 3—	1405	-----	33	¹³ 864	18	117
Do—	1406	1 (part)	33	¹⁴ 911	18	198a
1906—Apr. 27—	1997	-----	34	149	18	712, 712a
June 28—	3565	1, 2	34	536, 537	18	145, note
1907—Mar. 1—	2285	-----	34	¹⁵ 1017	25	248
Mar. 2—	2564	-----	34	1246	18	682
1909—Mar. 4—	321	1-13, 18- 37, 39-73, 82, 84- 101, 103- 253, 268- 340, 342- 344	35	1088-1101, 1103-1139, 1141-1153, 1159	18	1-8, 21-25, 30, 51, 52, 54-59, 71- 76, 78-80, 82-88, 91, 97, 99-101, 103-113, 116-121, 123-129, 135, 144, 145, 172- 185, 187, 188, 192- 196, 198- 200, 202- 212, 214, 215, 231-

⁸ Second proviso, commencing on this page and ending on p. 845.

⁹ Only the provisions amending second sentence of proviso in Act, May 28, 1896, ch. 252, §19, 29 Stat. 184.

¹⁰ First, second, and third provisos, only, appearing on this page.

¹¹ Only the sixth full paragraph appearing on this page.

¹² First proviso, only, appearing on this page.

¹³ Only the second full paragraph appearing on this page.

¹⁴ First proviso in the fifth paragraph appearing on this page.

¹⁵ All following the semicolon in the fourth full paragraph appearing on this page.

Date	Statutes at Large				U. S. Code	
	Chapter	Section	Volume	Page	Title	Section
1909—Mar. 4					18	251, 261– 287, 289– 293, 301– 340, 347– 349, 351– 360, 382– 394, 396, 421–428, 443–446, 451–468, 481–501, 511–522, 532–534, 541–553, 567, 568, 571–573
					28	51
1910—June 23	372	1	36	604	36	4
June 25	386	15	36	818	39	765
Do	387	1–10	36	819–821	18	714, 715, 716, 717, 718, 719, 720, 721, 722, 723
Do	395	1–5, ¹⁶ 6, 7, 8	36	825–827	18	397, 401, 402 (2) (3), 403, 404,
Do	431	6	36	857	18	104, 107,
1911—Mar. 1	187		36	963	18	523
Mar. 3	231	10, 40–42, 65, 144, 270, 282– 285, 288	36	1088, 1100, 1104, 1136, 1163, 1165, 1166	28	14, 101–103, 124, 249, 392, 419– 422, 426
Do	231	¹⁷ 59	36	1103	28	121
Mar. 4	241	2	36	1339	18	334
Do	270		36	1355	18	189
1912—Feb. 15	38		37	64, 65	18	285
Aug. 24	388	1 (part)	37	¹⁸ 519	25	250
Do	389	¹⁹ 2	37	553	39	808
1913—Jan. 23	9		37	650	18	714
Feb. 13	50	1, 2, 3	37	670	18	409–411
Dec. 23	6	²⁰ 12B(s-x)			12	264 (s), 264 (t),

¹⁶ Second and third paragraphs, only, of said section 6.

¹⁷ First sentence, only.

¹⁸ Second proviso in first full paragraph appearing on this page.

¹⁹ First paragraph, only.

²⁰ As added by Act, June 16, 1933, ch. 89, § 8 (part), 48 Stat. 177, 178.

Date	Statutes at Large				U. S. Code	
	Chapter	Section	Volume	Page	Title	Section
						264 (u), 264 (v) (1), 264 (w), 264 (x)
1913—Dec. 23--	6	22	38	272, 273	12	593, 594, 595
1914—Oct. 15--	323	9, 21-25	38	733, 738- 740	18 28	412 386-390
1916—May 18--	125	1 (part)	39	²¹ 124	25	245, 252
Do-----	126	10	39	162	18	321
June 3--	134	²² 125	39	217	10	1393
July 17--	245	31	39	382-384	12	981-986
Do-----	245	²³ 211			12	1121-1128
July 28--	261	1	39	²⁴ 418	18	321
1917—Feb. 23--	115		39	936	18	114
Mar. 2--	146	²⁵ 17	39	982 (983)	25	242
Do-----	146	1 (part)	39	²⁶ 970	25	247
Mar. 3--	163	1 (part)	39	²⁷ 1106	5	66
Mar. 4--	180		39	²⁸ 1182	18	136
	(part)					
Do-----	180		39	²⁹ 1194	18	96
	(part)					
May 7--	11		40	39, 40	18	22
May 22--	20	19	40	89	18	96

Date	Statutes at Large					U. S. Code	
	Chapter	Title	Section	Volume	Page	Title	Section
1917—June 15--	30	I	1-8	40	217-219	50	31-38
Do-----	30	II	3	40	220	50	193
Do-----	30	III	1	40	221	18	502
Do-----	30	IV	1	40	221	18	381
Do-----	30	V	1-8	40	221-223	18	31-37
Do-----	30	VIII	1-5	40	226	18	98, 288, 349
						22	231, 232, 234, 235, 601
						50	41

²¹ Only the second sentence of second full paragraph appearing on this page.

²² Second paragraph, only.

²³ As added by act, Mar. 4, 1923, ch. 252, § 2 (part), 42 Stat. 1459-1461.

²⁴ Only the following words in the ninth full paragraph appearing on this page: "and that section ten of the said Act be amended by inserting after the first word of said section, 'that,' the words 'sections one hundred and ninety-eight of the'".

²⁵ Twelfth paragraph, only.

²⁶ The proviso, only, in the first full paragraph appearing on this page.

²⁷ The proviso, only, in the fifth paragraph appearing on this page.

²⁸ The fourth full paragraph appearing on this page.

²⁹ All provisions appearing on this page which amend section forty-four (44) of Act, Mar. 4, 1909, ch. 321, 35 Stat. 1088 (1097).

Date	Statutes at Large					U. S. Code	
	Chapter	Title	Section	Volume	Page	Title	Section
1917—June 15---	30	IX	2-4	40	227	22	220-222
Do-----	30	X	1-3	40	227, 228	18	130-132
Do-----	30	XI	1-23	40	228-230	18	98, 611-631, 633
Do-----	30	XII	1-3	40	230, 231	18	343-345
Do-----	30	XIII	2, 3	40	231	18	39, 535, 574
						50	39

Date	Statutes at Large				U. S. Code	
	Chapter	Section	Volume	Page	Title	Section
1917—June 21--	32	11	40	240	12	595
Oct. 3---	63	1110	40	329	18	342
1918—Apr. 19--	58	All	40	533	50	111, 112, 113
Apr. 20--	59	All	40	533, 534	50	101, 102, 103
May 25--	86	1 (part)	40	³⁰ 563	25	244
July 3---	128	4, 5	40	755, 756	16	705, 706
July 8---	138	-----	40	821	22	246
July 10--	144	1-3, 5-8	40	896, 897	18	794-801
Sept. 26--	177	³¹ 5	40	970, 971	12	593, 594, 595
Do-----	177	³² 7	40	972, 973	12	591, 592
Oct. 23--	194	-----	40	1015, 1016	18	80, 82-86
1919—June 30--	4	1 (part)	41	³³ 4	25	244
Do-----	4	³⁴ 1	41	3 (9)	25	214
July 11--	6	6	41	68	18	201
Do-----	³⁵ 8	-----	41	131	5	100
	(part)					
Oct. 29--	89	1-5	41	324, 325	18	408
1920—May 25--	196	-----	41	620, 621	18	340
May 29--	212	-----	41	630	18	186
June 5---	268	-----	41	1060, 1061	18	396
1921—Mar. 3---	136	-----	41	³⁶ 1360	50	33
Mar. 4---	161	1 (part)	41	³⁷ 1414	18	768
Do-----	172	-----	41	1444, 1445	18	382-386
Nov. 17--	124	1, 2	42	220	18	582
Nov. 23--	136	1321	42	315	18	585, 586

³⁰ Fourth proviso, only, appearing on this page.

³¹ Only the part amending and reenacting those provisions of section 22 of Act Dec. 23, ch. 6, 38 Stat. 272, which, in said section 5 of this Act, of Sept. 26, 1918, were designated as section 22 (a) (b) (c).

³² Final sentence of the quoted provisions amending R. S. § 5208, and all quoted provisions amending R. S. § 5209.

³³ Fourth proviso, only, appearing on this page.

³⁴ Final paragraph.

³⁵ All of the final paragraph of Chapter IV of this Act, except the proviso contained in the second sentence thereof.

³⁶ The second proviso, only, appearing on this page.

³⁷ The proviso, only, appearing on this page.

Date	Statutes at Large				U. S. Code	
	Chapter	Section	Volume	Page	Title	Section
1922—Jan. 31	44	1, 2	42	361	22	409, 410
June 19	227	³⁸ 4 (part)	42	661	23	46
1923—Jan. 3	21	-----	42	³⁹ 1085	18	768
Feb. 24	110	-----	42	1286	10	1425
Mar. 3	218	-----	42	1437	18	350
Mar. 4	252	209 (e, h)	42	1468, 1469	12	1245, 1248
Do	252	216	42	1471-1473	12	1311-1318
1924—Feb. 11	17	1-3, 5-9	43	6, 7	18	769-776
Apr. 15	108	-----	43	98	18	145
May 26	190	22	43	165	8	220
May 28	204	-----	43	⁴⁰ 222	18	768
May 31	⁴¹ 221	-----	43	248	18	767
June 2	234	1010	43	341, 342	18	585, 586
June 7	287	1-9	43	473-475	18	811-819
Dec. 5	4	1 (part)	43	⁴² 688	18	767
1925—Jan. 7	32	1-10	43	724-726	18	831-840
Do	33	-----	43	726	18	570
Jan. 28	102	-----	43	793, 794	18	409-411
Feb. 11	204	⁴³ 8	-----	-----	18	562a
Feb. 25	318	-----	43	977	18	317
1925—Feb. 27	364	-----	43	⁴⁴ 1031	18	768
Feb. 28	368	310-313	43	1073	2	249-251
				1074	18	208
Mar. 4	521	1-4	43	1259-1261	18	724-727
1926—Feb. 26	27	1110	44	114, 115	18	585, 586
Do	27	⁴⁵ 1115	44	117	18	216
May 24	377	1-5	44	628, 629	12	584-588
May 27	406	11	44	665, 666	11	52
July 3	755	-----	44	831	18	683
Do	780	1, 2	44	891	18	103a, 103b
Do	795	-----	44	901	18	746
Dec. 11	2	1-3	44	917, 918	18	146-148
Do	3	1-3	44	918	18	149-151
1927—Feb. 8	75	1, 2	44	1059, 1060	18	361
Feb. 25	191	⁴⁶ 12	44	1231	12	591
Do	191	15	44	1232	12	593

³⁸ Par. 6.³⁹ The proviso, only, on this page.⁴⁰ The proviso, only, contained in the second full paragraph appearing on this page.⁴¹ First sentence, only, of first paragraph.⁴² Only the first proviso appearing on this page, reading as follows: "Provided, That said bridge shall be open to use by the public under such rules and regulations as prescribed by the Attorney General."⁴³ Par. 6, proviso, only; as added by Act June 22, 1927, ch. 50, § 2 (part), 44 Stat. 1023.⁴⁴ Second proviso only, appearing on this page, and reading as follows: "Provided, That livestock may be exchanged or traded when authorized by the Attorney General, \$184,500."⁴⁵ Only the part reenacting R. S. § 3167, as amended.⁴⁶ Final sentence of the quoted provisions amending R. S. § 5208, and also the following words in the first paragraph of said section 12 of this act: "by striking out the words 'or who shall certify a check before the amount thereof shall have been regularly entered to the credit of the drawer upon the books of the bank,' and in lieu thereof inserting the following: 'or who shall certify a check before the amount thereof shall have been regularly deposited in the bank by the drawer thereof,'."

Date	Statutes at Large				U. S. Code	
	Chapter	Section	Volume	Page	Title	Section
1927—Dec. 22--	5	1 (part)	45	⁴⁷ 22	18	838
Dec. 27--	6	-----	45	51	18	582
1928—Feb. 15--	57	-----	45	⁴⁸ 83	18	699a
Apr. 21--	392	-----	45	437	10	1425
1929—Jan. 11--	53	-----	45	1072, 1073	18	340
Feb. 6--	157	-----	45	1153	18	326
Feb. 8--	163	-----	45	1156	18	521
Feb. 26--	336	1-5	45	1318	18	851-855
1930—May 12--	237	-----	46	265, 266	18	831
May 13--	254	1-11	46	270-272	18	871-880
Do-----	255	1-4	46	272	18	716, 717, 719, 720, 723a, 723b, 723c
Do-----	256	1, 2	46	273	18	751, 752
May 14--	274	1-11	46	325-327	18	699, 753, 753a-753j, 816, 836
May 27--	339	1-12	46	388-390	18	901-912
Do-----	340	1- ⁴⁹ 5, 6-8	46	391, 392	18	744a- ⁵⁰ 744e, 746f-746h
June 6--	406	1, 2	46	503, 504	18	726-728
June 17--	497	305(b), 335	46	689, 701	19	1305(b), 1335
Do-----	497	589-591, 593, 596- 598, 600, 601, 616	46	750-753, 757	19	1589-1591, 1593, 1596- 1598, 1600, 1601, 1616
Dec. 16--	15	-----	46	1029, 1030	18	541
1931—Feb. 25--	297	-----	46	1417	28	421
Mar. 2--	371	-----	46	1469	18	716
1932—Jan. 22--	8	16	47	11, 12	15	616
Mar. 23--	90	11, 12	47	72, 73	29	111, 112
Apr. 22--	126	-----	47	132, 133	18	5
June 6--	209	1108	47	288	18	585, 586
June 11--	243	-----	47	301	18	662a
June 13--	245	-----	47	302	25	242
June 23--	271	-----	47	326	18	408a
June 28--	284	-----	47	336, 337	18	548
June 29--	306	1, 2	47	342	18	76a, 76b
Do-----	309	-----	47	380, 381	28	417a
Do-----	310	1-4	47	381	18	710a, 716a, 716b

⁴⁷ The proviso, only, in the fifth full paragraph appearing on this page.

⁴⁸ Proviso, only, in the sixth paragraph appearing on this page.

⁴⁹ First and second sentences, only, of said section 5.

⁵⁰ First and second sentences, only, of said section 744e.

Date	Statutes at Large				U. S. Code ^a	
	Chapter	Section	Volume	Page	Title	Section
932—July 8---	464	1, 2	47	649, 650	18	338a, 338b
July 22---	522	21	47	738, 739	12	1441
933—Jan. 21---	16	-----	47	773, 774	18	409-411
Feb. 24---	119	1-3	47	904	18	688
May 18---	31	-----	48	58	18	556
June 10---	57	-----	48	122, 123	22	135
June 13---	64	8	48	134, 135	12	1467
June 15---	85	-----	48	152	18	468
June 16---	97	-----	48	256, 257	18	725
Do-----	98	64, 78	48	267-269, 272	12	987, 1138d
1934—Jan. 31---	7	13	48	347	12	1138d
Mar. 5---	43	-----	48	396	25	244a
Mar. 8---	49	-----	48	399	18	688
Mar. 22---	73	1-4	48	454-456	18	662b-662c
Apr. 13---	112	1, 2	48	574	31	804a
Apr. 27---	168	12	48	647	12	1467(e)
Apr. 30---	170	1-3	48	648, 649	18	554a, 556a, 556b
May 7---	220	1, 2	48	667	18	321, 321a
May 10---	278	1-4	48	772	18	587
May 18---	299	1, 2	48	780, 781	18	253, 254
Do-----	300	-----	48	781	18	408d
Do-----	301	-----	48	781, 782	18	408a-408c
Do-----	302	-----	48	782	18	408e
Do-----	303	1	48	782, 783	18	252
Do-----	304	1-4	48	783	12	588a-588d
May 22---	333	1-7	48	794, 795	18	413-418a, 419
June 6---	408	-----	48	910, 911	18	575
June 13---	482	1	48	948	40	276b
June 18---	569	1-6	48	979, 980	18	420a, 420b, 420c, 420d, 420e, 420e-1
Do-----	587	-----	48	996, 997	18	80, 82-86
Do-----	595	-----	48	1008	5	300a
June 19---	650	-----	48	1063	18	340
Do-----	652	316	48	1088, 1089	47	316
Do-----	652	326	48	1091	47	⁶¹ 326
Do-----	653	3	48	1107, 1108	12	596, 597, 598, 599
June 22---	716	-----	48	1207	18	309
June 23---	736	1-6	48	1211, 1212	18	744i-744n
June 27---	846	-----	48	1245	25	254
Do-----	847	512	48	1265	12	1731 (a)- 1731 (c)

⁶¹ Last sentence, only, of this section.

Date	Statutes at Large				U. S. Code	
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1935—May 24--	142	-----	49	289	18	641
May 28--	150	20, 21	49	298	12	1467
June 3--	164	21	49	319	12	981
June 15--	259	2	49	378	28	504a
Do-----	261	201, 202	49	380, 381	18	392, 393, 393a, 394
June 20--	284	-----	49	394	18	468
June 28--	326	-----	49	427	18	338a
July 24--	412	1-4	49	494, 495	18	396b-396e
Aug. 3--	432	-----	49	513, 514	18	753h
Aug. 5--	438	2	49	518	19	1702
Do-----	438	304 (a), 309	49	527, 528	19	1591, 1601a
Aug. 23--	614	⁵² 101	49	684 (700-703)	12	264 (s)- 264 (u), 264 (w), 264 (x)
Aug. 23--	⁵³ 614	101	49	684 (701)	12	264 (B) (v) (1)
Do-----	614	316, 318, 326 (a) (b), 332, 333	49	712, 715, 716, 719, 720	12	583, 585, 587, 588a, 592-594
Aug. 26--	692	-----	49	866	18	349a
Do-----	693	-----	49	867	18	317
Do-----	694	-----	49	867	18	320
Aug. 27--	740	201, 204	49	877, 878	18	53a, 77a, 646
Do-----	748	5	49	892, 893	25	305d
Do-----	748	⁵⁴ 6	49	893	25	305e
1936—Jan. 24--	29	-----	49	1099	18	408c-1
Feb. 8--	40	-----	49	1105	18	253
June 20--	634	4	49	1556	16	705
Do-----	635	1, 2	49	1557	22	248
Do-----	640	2-5, 7, 8	49	1562, 1563, 1564	28	695a-695d 695f, 695g
June 24--	746	-----	49	1899, 1900	18	407a
June 25--	815	1-8, 10-12	49	1928-1930	18 27	388-390 221-228
Do-----	816	6	49	1936	46	710a
June 26--	830	3	49	1940	18	253
1937—June 19--	367	-----	50	304	18	542
July 22--	517	52	50	531, 532	7	1026
Aug. 24--	746	-----	50	748, 749	28	421
Do-----	747	-----	50	749	12	588b

⁵² The part amending sec. 12 B (s-u), (w, x) of Act Dec. 23, 1913, ch. 6, as added by Act June 16, 1933, ch. 89, § 8 (part), 48 Stat. 168 (177, 178).

⁵³ The part amending sec. 12 B (v) of Act of Dec. 23, 1913, ch. 6 as added by Act June 16, 1933, ch. 89, § 8 (part), 48 Stat. 168 (178), being specifically the provisions which, in said Act of Aug. 23, 1935, ch. 614, § 101, 49 Stat. 684 (701), were re-designated as sec. 12 B (v) (1).

⁵⁴ First paragraph, only.

Date	Statutes at Large				U. S. Code	
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1937—Aug. 25...	777	-----	50	810	28	531, 572a
Sept. 1...	896	23-26	50	899	42	1423-1426
1938—Jan. 12...	2	1-5	52	3, 4	50	45, 45a-45d
Jan. 27...	10	2-4	52	6, 7	18	261, 286, 350
Do....	11	2	52	8	15	176b
Feb. 3...	13	9, 10	52	24-26	12	1731 (a), 1731 (d-f)
Feb. 11...	24	1, 2	52	28	18	754
Feb. 16...	30	514 (a) (b) (c) (d) (e)	52	76, 77	7	1514 (a) (b) (c) (d) (e)
Feb. 28...	37	-----	52	82, 83	18	76
Apr. 4...	69	-----	52	197, 198	18	80, 82-86
June 15...	435	1, 2	52	696, 697	25	241, note, 241, 243
June 16...	486	1-7, 9	52	764-766	18	921-927, 929
June 22...	575	⁵⁵ 1	52	855-857	11	52
Do....	⁵⁶ 594	-----	52	943	28	634
June 25...	679	26	52	1089	19	1598
June 29...	813	-----	52	1242, 1243	18	407a
1939—May 6...	115	1. (part)	53	⁵⁷ 663	18	647
May 15...	133	1, 2	53	742-744	18	338a, 338b, 408d
Do....	134	-----	53	744, 745	18	361
May 22...	141	-----	53	752	18	76a
June 5...	184	1, 2	53	809	18	76c, 76d
June 13...	197	-----	53	814, 815	18	645
June 19...	209	-----	53	840	18	393
Aug. 2...	410	1-8, 10, 11	53	1147-1149	18	61-61g, 61j, 61k
Do....	410	⁵⁸ 13	-----	-----	18	61m
Do....	410	⁵⁹ 17	-----	-----	18	61q
1939—Aug. 3...	413	1-6	53	1178, 1179	18	415-418a, 419
Aug. 4...	419	1, 2	53	1198	18	581a, 581b
Aug. 5...	429	-----	53	1203	18	354
Do....	434	-----	53	1205	18	467a
Aug. 7...	557	-----	53	1256, 1257	18	317
Aug. 10...	638	1, 2	53	1341	18	338c, 338d
1940—Jan. 13...	1	-----	54	13	18	241a
Mar. 25...	71	-----	54	⁶⁰ 63	18	647
Mar. 28...	72	1, 2, 3 (b), 4-9	54	79, 80	18	36, 98, 345, 381
					22	220-222,

⁵⁵ All provisions amending Act July 1, 1898, ch. 541, § 29, 30 Stat. 554.

⁵⁶ All provisions amending R. S. § 859.

⁵⁷ First proviso, only, appearing on this page.

⁵⁸ As added by Act July 19, 1940, ch. 640, § 4 (part), 54 Stat. 770.

⁵⁹ As added by Act July 19, 1940, ch. 640, § 4 (part), 54 Stat. 771.

⁶⁰ First proviso, only, appearing on this page.

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1940—Mar. 28						231, 232, 601
					50	31, 35, 193
Do....	73		54	80	18	97
Apr. 17	101		54	110	28	421
Apr. 30	164		54	171	18	86
Do....	176	1-3	54	175, 176	18	733, 733a, 733b
June 6	241		54	234	18	468
June 8	276		54	249	25	217a
Do....	286		54	255, 256	18	412a
June 11	323		54	304	18	451
Do....	326	1-3	54	306	18	469-471
June 13	359		54	391	18	253
June 25	426		54	571, 572	18	76e
June 28	439	1-5	54	670, 671	18	9-13
June 29	445		54	688	18	687
Do....	449	1-5	54	692, 693	18	641, 718, 719, 723c, 753k
Do....	455		54	695	12	588b
July 10	567		54	747	18	587
July 19	640	1, 3, 5, 6	54	767, 772	18	61a, 61j, 61m-1, 61t
Oct. 8	762		54	1021	18	203
Oct. 9	777	6	54	1028	18	382-385
Do....	785	1-5	54	1058, 1059	18	576, 576a- 576d
Oct. 14	872		54	1134	18	396a
Do....	876	346 (a-h), (l), 347	54	1163-1168	8	746 (a-h), (l), 747
Oct. 17	897	1-6	54	1201-1204	18	14, 14 note 15-17
Nov. 30	926		54	1220, 1221	50	101, 104- 106
1941—May 31	156	1 (part)	55	^a 220	18	647
June 14	204		55	252	18	753f
June 21	212		55	254, 255	18	746a, 746b
June 28	261	10	55	365	12	1731 (d)
July 9	283		55	581	18	396a
July 11	287		55	583	18	518a
Aug. 18	366	1-6	55	631, 632	18	419a, 419b 419c, 419d
Aug. 21	388		55	655	50	104
Oct. 21	453		55	743, 744	18	753f
Nov. 15	472	1, 2	55	763, 764	18	106, 107
Nov. 21	492		55	779	18	689

^a First proviso, only, appearing on this page.

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1942—Mar. 7--	160	-----	56	141	18	361
Mar. 10--	178	1 (part)	56	⁶² 158	18	647
Mar. 21--	191	-----	56	173	18	97a
Mar. 27--	199	1106	56	184	50 App.	641e
May 9--	295	1	56	271, 272	18	682
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1943—June 30--	179	1 (part)	57	⁶⁴ 258	18	647
Nov. 22--	302	-----	57	591	18	87
1944—Mar. 4--	82	1, 2, 3, 4	58	111	18	472, 473, 474
Apr. 1--	151	-----	58	149, 150	18	282a
Apr. 4--	162	-----	58	188	18	469
July 1--	358	19(a)(d)(e)	58	667, 668	41	⁶⁵ 119
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1945—Apr. 30--	103	-----	59	101	18	97b
May 15--	126	-----	59	168	18	518a
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1946—May 15--	258	-----	60	182	18	518a
July 3--	537	-----	60	420	15	17 note
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Aug. 2--	735	-----	60	789	18	408e
Aug. 14--	964	⁶⁶ 3	60	1064	7	1026

⁶² First proviso, only, appearing on this page.

⁶³ As added by Act Apr. 1, 1944, ch. 150 (part), 58 Stat. 146.

⁶⁴ Second proviso, only, appearing on this page.

⁶⁵ First, second, third, and sixth paragraphs, only, of this section of Title 41 of the United States Code, 1940 edition.

⁶⁶ Only the provisions amending section 52 of Act July 22, 1937, ch. 517, title IV, 50 Stat. 531, 532.

Union Calendar No. 138

80TH CONGRESS
1ST SESSION

H. R. 3190

[Report No. 304]

A BILL

To revise, codify, and enact into positive law,
Title 18 of the United States Code, entitled
"Crimes and Criminal Procedure".

By Mr. ROBSION

APRIL 24, 1947

Referred to the Committee on the Judiciary

APRIL 24, 1947

Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

FCC 48-2059
25449

Docket No. 9113

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3. This Commission is authorized to and has the duty to consider in connection with its general licensing authority policies affecting radio expressed in other Acts of Congress. See McLean Trucking Company v United States, 326 U.S. 67; Southern Steamship Company v NLRB, 316 U.S. 31. It has authority, therefore, in determining whether a grant of a given license application would serve the public interest, convenience or necessity, to consider the Congressional mandate that no licensee should broadcast any program containing any advertisement or information concerning any lottery, gift enterprise or similar scheme. And in so doing the Commission is not required to await prior judicial determination that a given program is in violation of Section 1304 of the Criminal Code. Public Clearing House v Coyne, 194 U.S. 497; Southern Steamship Company v NLRB, 316 U.S. 31. And

the Commission is authorized to issue general rules setting forth for the information of licensees its intention to refuse licenses to persons operating in violation of the Congressional prohibition against the broadcast of lottery information set forth in Section 1304 of the Criminal Code. See National Broadcasting Company v United States, 319 U.S. 190.

4. Accordingly, the Commission proposes to adhere to its determination of August 5, 1948 that rules with respect to the broadcasting of lottery information should be promulgated by this Commission. Notice is hereby given that rules, similar in form to the Chain Broadcasting Regulations, Sections 3.101 - 3.108 of the Rules dealing with the qualifications of licensees, are proposed to be promulgated. These proposed rules are designed to assist the Commission, licensees, and other interested persons in giving effect to the public policy embodied in the determination of Congress that the United States should not "permit any radio station licensed and regulated by the government to engage in such unlawful practices." Senate Report 1045 on H.R. 7716, 72nd Congress, 2nd Session.

5. The proposed rules would also set forth with particularity, as set out in the Appendix of the Notice of Proposed Rule Making issued August 5, 1948 for standard, FM and television broadcasting, certain types of programs which the Commission believes are clearly prohibited by Section 316 of the Communications Act of 1934, as amended (effective September 1, 1948, Section 1304 of the U. S. Criminal Code, 18 U.S.C.) which makes criminal the broadcast of "any advertisement of or information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance." These specifications of various types of programs which the Commission will consider to be lotteries, gift enterprises or similar schemes in violation of law, are intended to afford broadcast licensees an opportunity to be informed, so far as it is possible to do so, of the interpretation of the law with respect to these matters which the Commission proposes to apply in the exercise of its licensing functions. These proposed rules therefore are entirely interpretative in nature and do not purport to add to or detract from the statutory prohibition imposed by Congress.

6. The proposed rules are issued under the authority of Sections 4(i), 303(r), 307(a), 308(b) and 309(a) of the Communications Act of 1934, as amended.

7. Any interested party who is of the opinion that the proposed rules should not be adopted, or should not be adopted in the manner proposed may file with the Commission on or before September 10, 1948, a statement or brief setting forth his comments. At the same time persons favoring the rules as proposed may file statements in support thereof. The Commission will consider all such comments that are presented before taking action in the matter, and

if any comments are submitted which appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

8. In accordance with the provisions of Section 1.764 of the Commission's Rules and Regulations, an original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

FEDERAL COMMUNICATIONS COMMISSION

T. J. Slowie
Secretary

Adopted: August 26, 1948
Released: August 27, 1948